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THE UNITED NATIONS AND THE SITUATION IN THE FORMER YUGOSLAVIA

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THE UNITED NATIONS AND THE SITUATION IN THE FORMER YUGOSLAVIA

BACKGROUND

Serious fighting in Croatia began in June 1991 when that Republic and its northern neighbour, Slovenia, declared themselves independent from Yugoslavia,[1/] and Serbs living in Croatia, supported by the Yugoslav People's Army (JNA), opposed this move. Efforts by the European Community to stop the hostilities in mid-1991 and to resolve the crisis in the framework of the Conference on Yugoslavia had proved unsuccessful.

The United Nations became actively involved in the situation in Yugoslavia on 25 September 1991 when the Security Council, meeting at the ministerial level, unanimously adopted its resolution 713 (1991) expressing deep concern at the fighting in that country and calling on all States to implement immediately a "general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia". The Council commended and fully supported the efforts already undertaken by the European Community and its member States, with the support of the States participating in the Conference on Security and Cooperation in Europe (CSCE), to restore peace and dialogue in Yugoslavia. By its resolution, the Council invited the Secretary-General to offer his assistance in consultation with the Government of Yugoslavia and all those promoting the peace efforts.

On 8 October 1991, then Secretary-General Javier Pérez de Cuéllar appointed Mr. Cyrus Vance, former United States Secretary of State, as his Personal Envoy for Yugoslavia. Thereafter, the Secretary-General and his Personal Envoy maintained constant contact with all the parties to the conflict, with the Presidency of the European Community, with the Chairman of the CSCE-participating States, with Lord Carrington, then Chairman of the European Community's Conference on Yugoslavia, and with other interested parties in their efforts to find a solution to the crisis. It soon became clear that the most valuable contribution the United Nations could make at that stage was a peace-keeping operation to create the necessary conditions for the pursuit of political negotiations for a peaceful settlement.

As part of the collective effort to stop the fighting and to find a peaceful solution to the conflict, the Secretary-General's Personal Envoy undertook several missions to Yugoslavia and discussed with all parties concerned, among other things, the feasibility of deploying a United Nations peace-keeping operation. On 23 November, the Personal Envoy convened in Geneva a meeting which was attended by the Presidents of Serbia and of Croatia and the Secretary of State for National Defence of Yugoslavia, as well as Lord Carrington. During the meeting, the Yugoslav parties reached agreement on an immediate cease-fire and on a number of other issues. Each of the Yugoslav parties expressed the wish to see the speedy establishment of a United Nations peace-keeping operation. However, while progress was made on the other issues, the cease-fire broke down almost immediately.

On 27 November, the Security Council, by its resolution 721 (1991), approved the efforts of the Secretary-General and his Personal Envoy, and endorsed the statement made by the Personal Envoy to the parties that the deployment of a United Nations peace-keeping operation in Yugoslavia could not be envisaged without full compli-

ance by all parties with the Geneva agreement. During subsequent weeks of intensive negotiations with the parties concerned, the implementation of the Geneva agreement was pursued and the general principles were defined for a United Nations peace-keeping operation. On 15 December, the Security Council, by its resolution 724 (1991), approved the Secretary-General's report which contained a plan for a possible peace-keeping operation. A small group of military officers, civilian police and United Nations Secretariat staff travelled to Yugoslavia to prepare for the implementation of this plan.

Thereafter the Secretary-General and his Personal Envoy focused their efforts on consolidating the cease-fire and on securing unconditional acceptance of the United Nations plan by all parties to the conflict, including assurances of their readiness to cooperate fully in its implementation. Keeping the Security Council informed of these efforts and the developments in the country, the Secretary-General reported on several occasions that, despite widespread support in Yugoslavia for a United Nations peace-keeping operation, the necessary conditions for its establishment still did not exist.

On 2 January 1992, as part of his attempts to remove the remaining obstacles, the Personal Envoy convened in Sarajevo a meeting between military representatives of the Republic of Croatia and representatives of the JNA, at which the Implementing Accord on the unconditional cease-fire was signed. With the Security Council's concurrence, the newly elected Secretary-General, Boutros Boutros-Ghali then sent to Yugoslavia a group of 50 military liaison officers, with the task of using their good offices to promote maintenance of the cease-fire by facilitating communication between the two sides and by helping them to resolve difficulties that might arise. In the meantime, the Personal Envoy, the United Nations Under-Secretary-General for Peace-keeping Operations and their team continued their efforts to secure the cooperation of all Yugoslav parties in implementing the United Nations plan for a peace-keeping operation.

On 15 February 1992, notwithstanding the fact that certain political groups in Yugoslavia were still expressing objections to the United Nations plan, the Secretary-General recommended to the Security Council the establishment of the United Nations Protection Force (UNPROFOR). In making this recommendation, he stressed that, in his view, the danger that a United Nations peace-keeping operation would fail for lack of cooperation from the parties was less grievous than the danger that delay in its dispatch would lead to a breakdown of the cease-fire and to a new conflagration.

On 21 February, the Security Council, by its resolution 743 (1992), approved the report and established UNPROFOR for an initial period of 12 months. The Council confirmed that the Force should be an interim arrangement to create the conditions of peace and security required for the negotiation of an overall settlement of the Yugoslav crisis within the framework of the European Community's Conference on Yugoslavia. It requested the Secretary-General to deploy immediately those elements of UNPROFOR which could assist in developing an implementation plan for the earliest possible full deployment of the Force.

On 7 April, after receiving a report from the Secretary-General on 2 April that all the Force Commander's interlocutors had emphasized the need for the earliest possible deployment of UNPROFOR, the Security Council, by its resolution 749 (1992), authorized the full deployment of the Force.

I. UNITED NATIONS PROTECTION FORCE

The operational mandate of UNPROFOR extends to five Republics of the former Yugoslavia — Croatia, Bosnia and Herzegovina, Macedonia,[2/] Montenegro and Serbia — and it has a liaison presence in the sixth, Slovenia.

UNPROFOR: FEBRUARY 1992 — FEBRUARY 1993

CROATIA

United Nations Protected Areas

UNPROFOR is deployed in certain areas in Croatia, designated as United Nations Protected Areas (UNPAs), in which the United Nations Security Council judged that special interim arrangements were required to ensure that a lasting cease-fire was maintained. The UNPAs are areas in which Serbs constitute the majority or a substantial minority of the population and where inter-communal tensions have led to armed conflict in the recent past. There are three UNPAs: Eastern Slavonia, Western Slavonia and Krajina. For United Nations purposes, they have been divided into four sectors: East, North, South and West.

The original United Nations plan in Croatia rests on two central elements: (a) the withdrawal of the JNA from all of Croatia and the demilitarization of the UNPAs; and (b) the continuing functioning, on an interim basis, of the existing local authorities and police, under United Nations supervision, pending the achievement of an overall political solution to the crisis.

UNPROFOR's mandate is to ensure that the UNPAs are demilitarized, through the withdrawal or disbandment of all armed forces in them, and that all persons residing in them are protected from fear of armed attack. To this end, UNPROFOR is authorized to control access to the UNPAs, to ensure that the UNPAs remain demilitarized, and to monitor the functioning of the local police there to help ensure non-discrimination and the protection of human rights. Outside the UNPAs, UNPROFOR military observers are to verify the withdrawal of all the JNA and irregular forces from Croatia, other than those disbanded and demobilized there. In support of the work of the humanitarian agencies of the United Nations, UNPROFOR is also to facilitate the return, in conditions of safety and security, of civilian displaced persons to their homes in the UNPAs.

UNPROFOR initially established its headquarters in Sarajevo, the capital of Bosnia and Herzegovina; it is now headquartered in Zagreb, the capital of Croatia.

Enlargements of UNPROFOR's mandate in Croatia

Since the establishment of UNPROFOR, there have been several enlargements of its mandate in Croatia. On 30 June 1992, the Security Council, by its resolution 762 (1992), authorized UNPROFOR to undertake monitoring functions in the "pink zones" — certain areas of Croatia controlled by the JNA and populated by then largely by Serbs, but which were outside the agreed UNPA boundaries. It also recommended the establishment of a Joint Commission chaired by UNPROFOR and consisting of representatives of the Government of Croatia and of the local authorities in the region, with the participation of the European Community Monitoring Mission (ECMM), to oversee and monitor the restoration of authority by the Croatian Government in the "pink zones"

On 7 August 1992, the Security Council, by its resolution 769 (1992), authorized the enlargement of UNPROFOR's strength and mandate to enable the Force to control the entry of civilians into the UNPAs and to perform immigration and

customs functions at the UNPA borders at international frontiers.

The third enlargement of UNPROFOR's mandate in Croatia came about on 6 October 1992, when the Security Council adopted its resolution 779 (1992), authorizing UNPROFOR to assume responsibility for monitoring of the demilitarization of the Prevlaka Peninsula near Dubrovnik. By the same resolution, the Council approved the Secretary-General's action to ensure the control by UNPROFOR of the vitally important Peruca dam, situated in one of the "pink zones" in Croatia.

Renewed hostilities

On 22 January 1993, the Croatian Army launched an offensive in a number of locations in the southern part of UNPROFOR's Sector South and the adjacent "pink zones". The Croatian Government stated that it took this action out of impatience with the slow progress of negotiations in respect of various economic facilities in and adjacent to the UNPAs and "pink zones". On 27 January, the Croatian Army attacked and captured the Peruca dam. The Serbs responded to the Croatian offensive by breaking into a number of storage areas, which were under joint control under a double-lock system in the UNPAs, and by removing their weapons, including heavy weapons.

UNPROFOR warned both the Croatian Government and the Serb authorities not to attempt further incursions into the UNPAs. The Force also sought to limit the damage caused by the fighting, and made repeated representations to the parties concerned with a view to preventing escalation and bringing about a cease-fire.

On 25 January, the Security Council adopted its resolution 802 (1993), in which it demanded an immediate cessation of hostile activities by Croatian armed forces within or adjacent to the UNPAs and their withdrawal from these areas, an end to attacks against UNPROFOR personnel, return of all heavy weapons seized from UNPROFOR-controlled storage areas, and strict compliance by all parties with the terms of cease-fire arrangements. It called upon all parties to cooperate fully with the International Conference on the Former Yugoslavia[3/] and to refrain from any actions which might undermine efforts aimed at reaching a political settlement.

As to the implementation of this resolution, the Croatian Government on 26 January informed the Force Commander of UNPROFOR that, upon compliance by the Serb side with the various provisions of the resolution, they would remove their military, but not their police, from the areas they had taken. For its part, the Serb side stated that Croatia must return to its pre-22 January positions before the implementation of the remainder of the resolution could be considered.

Eventually, after several rounds of talks held under the auspices of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, the Government of Croatia and the Serb local authorities signed an agreement regarding the implementation of resolution 802 (1993).

BOSNIA AND HERZEGOVINA

Although the mandate of UNPROFOR originally related only to Croatia, it was envisaged that after the demilitarization of the UNPAs, 100 UNPROFOR military observers would be redeployed from Croatia to certain parts of Bosnia and Herzegovina. However, in light of the deteriorating situation in Bosnia and Herzegovina, the Secretary-General decided to accelerate this deployment by sending 40 military observers to the Mostar region of that Republic on 30 April 1992. In May, despite all diplomatic efforts by the European Community, the Secretary-General's representatives and UNPROFOR to negotiate a

lasting cease-fire, the conflict — between the Bosnian Muslims and the Bosnian Croats on the one side and the Bosnian Serbs on the other — intensified. On 14 May, when risks to their lives reached an unacceptable level, the observers were withdrawn from the area and redeployed in the UNPAs in Croatia. About two thirds of UNPROFOR headquarters personnel also withdrew from Sarajevo on 16 and 17 May, leaving behind some 100 military personnel and civilian staff who lent their good offices to promote local cease-fires and humanitarian activities.

In a series of resolutions and statements, the Security Council appealed to all parties to bring about a cease-fire and a negotiated political solution, and demanded, *inter alia*, that all forms of interference from outside Bosnia and Herzegovina, including by JNA, as well as by the Croatian Army, cease immediately and that all local irregular forces be disbanded and disarmed.

On 30 May, acting under Chapter VII of the United Nations Charter, the Security Council, in its resolution 757 (1992), imposed wide-ranging sanctions on the Federal Republic of Yugoslavia (which by then consisted of Serbia and Montenegro), in order to help achieve a peaceful solution to the conflict. It also demanded that all parties create the conditions necessary for unimpeded delivery of humanitarian supplies to Sarajevo and other destinations in Bosnia and Herzegovina, including the establishment of a security zone encompassing Sarajevo and its airport. The Council requested the Secretary-General to continue using his good offices to achieve this objective.

Security arrangements at Sarajevo airport

In keeping with the Council's request, UNPROFOR pursued negotiations with the parties to the conflict aimed at stopping the fighting around the airport and reopening it for humanitarian purposes. On 6 June 1992, the Secretary-General reported to the Council that UNPROFOR had negotiated, on 5 June, an agreement for the handing over to the Force of the Sarajevo airport. On 8 June, the Security Council, by its resolution 758 (1992), approved the enlargement of UNPROFOR's mandate and strength and authorized the Secretary-General to deploy military observers and related personnel and equipment to Sarajevo to supervise the withdrawal of anti-aircraft weapons and the concentration of heavy weapons at agreed locations in the city.

Following intensive work by UNPROFOR to establish modalities of implementation of the 5 June agreement, and a visit to Sarajevo by President François Mitterrand of France on 28 June, the Secretary-General reported to the Security Council, on 29 June, that Bosnian Serb forces had been withdrawing from the Sarajevo airport, and both sides — the Serb and the Bosnia Presidential forces — had begun to concentrate their heavy weapons in locations to be supervised by UNPROFOR. On the same day, the Council, by resolution 761 (1992), authorized deployment of additional elements of UNPROFOR to ensure the security and functioning of the airport. By 3 July, despite continued fighting in the area, United Nations observers and troops were deployed at the airport and at other locations in Sarajevo, and the airport was reopened for the humanitarian airlift.

Protection of humanitarian convoys

On 13 August 1992, the Security Council, disturbed by the situation prevailing in Sarajevo, which severely complicated UNPROFOR's efforts to ensure the security and functioning of Sarajevo airport and the delivery of humanitarian assistance, adopted resolution 770 (1992). The Council, acting under Chapter VII of the United Nations Charter, called on States to "take nationally or through regional agencies or arrangements

all measures necessary" to facilitate, in coordination with the United Nations, the delivery of humanitarian assistance to Sarajevo and wherever needed in other parts of Bosnia and Herzegovina.

In further discussions, however, it was decided that that task should be entrusted to UNPROFOR. On 10 September, following consultations with a number of Governments, the Secretary-General submitted a further report to the Security Council recommending the expansion of UNPROFOR's mandate and strength in Bosnia and Herzegovina. He proposed that UNPROFOR's task, under its enlarged mandate, would be to support efforts by the United Nations High Commissioner for Refugees (UNHCR) to deliver humanitarian relief throughout Bosnia and Herzegovina, and in particular to provide protection, at UNHCR's request, where and when UNHCR considered such protection necessary. In addition, UNPROFOR could be used to protect convoys of released civilian detainees if the International Committee of the Red Cross (ICRC) so requested and if the Force Commander agreed that the request was practicable. UNPROFOR would be deployed in four or five new zones. In each zone there would be an infantry battalion group, whose headquarters would also include civilian staff to undertake political and information functions and liaison with UNHCR. UNPROFOR troops would follow normal peacekeeping rules of engagement, which authorize them to use force in self-defence, including situations in which armed persons attempt by force to prevent them from carrying out their mandate.

In resolution 776 (1992), which was adopted on 14 September 1992 and which made no reference to Chapter VII of the Charter, the Security Council approved the Secretary-General's report and authorized the enlargement of UNPROFOR's mandate and strength in Bosnia and Herzegovina for these purposes. A separate Bosnia and Herzegovina Command was established within UNPROFOR to implement resolution 776 (1992), in addition to Sector Sarajevo.

"No-fly zone"

In a further development, the Security Council, on 9 October 1992, adopted its resolution 781 (1992) banning all military flights in the airspace of Bosnia and Herzegovina, except for those of UNPROFOR and other flights in support of United Nations operations, including humanitarian assistance. The Council requested UNPROFOR to monitor compliance with the ban, and that it place observers, where necessary, at airfields in the former Yugoslavia. The Council also requested that the Force employ "an appropriate mechanism for approval and inspection" to ensure that the purpose of other flights to and from Bosnia and Herzegovina was consistent with its resolutions. It also called on States to provide technical assistance to UNPROFOR in its monitoring efforts. On 10 November, the Security Council adopted its resolution 786 (1992) authorizing the expansion of UNPROFOR's strength by 75 military observers to enable it to monitor airfields in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro).

Border control

On 16 November 1992, the Security Council adopted its resolution 787 (1992), in which, among other things, it considered that, in order to facilitate the implementation of the relevant Council resolutions, observers should be deployed on the borders of Bosnia and Herzegovina, and requested the Secretary-General to present his recommendations on this matter. The resolutions in question were: resolution 713 (1991), which, *inter alia*, established a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia; resolution 752 (1992), which, *inter alia*, demanded that all forms of

interference from outside Bosnia and Herzegovina, including by units of the JNA as well as elements of the Croatian Army, cease immediately; resolution 757 (1992), which imposed comprehensive mandatory economic sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro); and resolution 787 (1992), which, *inter alia*, demanded that all forms of interference from outside Bosnia and Herzegovina, including infiltration into the country of irregular units and personnel, cease immediately.

On 21 December, the Secretary-General submitted to the Council his recommendations. In the report, he indicated that in order to ensure compliance with the relevant Security Council resolutions, it would be necessary to give UNPROFOR a mandate which would include the right not only to search but also to turn back or confiscate military personnel, weapons, or sanctioned goods whose passage into or out of Bosnia and Herzegovina would be contrary to the decisions of the Council. He pointed out that a symbolic presence at selected crossing points would "not only fail to fulfil the Council's requirements, but would also undermine the already strained credibility of UNPROFOR". He proposed, therefore, an enlargement of UNPROFOR with some 10,000 additional troops to provide for a 24-hour observation and search operation at 123 crossing points on Bosnia and Herzegovina's border with neighbouring countries.

FORMER YUGOSLAV REPUBLIC OF MACEDONIA

On 11 November 1992, the President of Macedonia conveyed to the Secretary-General a request for the deployment of United Nations observers in the former Yugoslav Republic of Macedonia in view of his concern about the possible impact on it of fighting elsewhere in the former Yugoslavia. Such deployment was also recommended by Mr. Vance and Lord Owen, Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia. With the Security Council's approval, the Secretary-General sent to Macedonia from 28 November to 3 December a group of military, police and civilian personnel to assess the situation and prepare a report concerning a possible deployment of UNPROFOR in that Republic.

On 9 December, the Secretary-General submitted to the Council a report in which he recommended an expansion of the mandate and strength of UNPROFOR to establish a United Nations presence on Macedonia's borders with Albania and the Federal Republic of Yugoslavia (Serbia and Montenegro). He indicated that the Force's mandate would be essentially preventive, to monitor and report any developments in the border areas which could undermine confidence and stability in Macedonia and threaten its territory.

The Secretary-General recommended that the enlargement of UNPROFOR comprise an estimated battalion of up to 700 all ranks, 35 military observers, 26 civilian police monitors, 10 civil affairs staff, 45 administrative staff and local interpreters. This contingent is to operate under UNPROFOR's "Macedonia Command" with headquarters in Skopje, the capital of Macedonia. The Security Council, by its resolution 795 (1992) of 11 December, approved the Secretary-General's report and authorized the establishment of UNPROFOR's presence in Macedonia.

Subsequently, on 18 June 1993, the Security Council welcomed the United States offer to provide about 300 troops to reinforce UNPROFOR's presence in the former Yugoslav Republic of Macedonia. In adopting resolution 842 (1993), the Council authorized the deployment of the additional personnel.

SECRETARY-GENERAL REVIEWS UNPROFOR ACTIVITIES

As already noted, UNPROFOR was established on 21 February 1992 by Security Council resolution 743 (1992) for an initial period of 12 months. On 10 February 1993, before the mandate of the Force expired, the Secretary-General submitted to the Council a report in which he summarized the activities of UNPROFOR and presented his recommendations on its future.

Croatia

In analysing the situation in Croatia, the Secretary-General described UNPROFOR's experience there as a mixed one. Its principal success had been in ensuring the complete withdrawal of the JNA from the territory of Croatia, including the Prevlaka Peninsula. Until the fourth week of January 1993, UNPROFOR's presence had also helped to prevent a recurrence of hostilities in the UNPAs and "pink zones". However, non-cooperation by the local Serb authorities had prevented UNPROFOR from achieving the demilitarization of the UNPAs and the disarming of the Serb Territorial Defence and irregular forces in these areas and in the "pink zones". As a result, UNPROFOR had not been able to establish the conditions of peace and security that would have permitted the voluntary return of refugees and displaced persons to their homes in these areas. Nor had it been able to establish the border controls called for in resolution 769 (1992).

The civilian aspects of UNPROFOR's activities, notably the efforts of United Nations civilian police to prevent discrimination and abuse of the human rights of residents in the UNPAs, had not proved fully successful despite UNPROFOR's best efforts. An atmosphere of terror and intimidation existed in many parts of the four sectors through much of the first ten months of the mandate period. However, since November 1992, the situation had shown improvement in all but a few areas. The maintenance of law and order was gradually enhanced through the reorganization and redeployment of the local police.

However, while the non-cooperation of the local Serb authorities had seriously impeded implementation of the United Nations peace-keeping plan, the Croatian offensive on and after 22 January 1993, referred to above, had significantly altered the situation on the ground. The President of Croatia, Mr. Franjo Tudjman, declared that the willingness of his Government to agree to an extension of UNPROFOR's mandate was dependent on progress in a number of areas. He also urged the Council to grant UNPROFOR an enforcement mandate. For its part, the Serb leadership in the UNPAs had rearmed and remobilized its forces in response to the Croatian offensive and had received substantial reinforcements of Serb fighters from elsewhere in the former Yugoslavia. Serb militias had broken into storage depots holding heavy weapons placed there under the peace-keeping plan. The Serb side had also refused to enter into negotiations with the Croat side, or to return the heavy weapons taken from storage, unless the Croatian armed forces withdrew to the positions they occupied before the offensive. Such a withdrawal, in turn, was categorically rejected by the Croatian authorities.

In addition, the Secretary-General continued, the circumstances in which the peace-keeping plan was drafted and agreed in late 1991 and early 1992 had themselves changed. The plan was envisaged as an interim arrangement pending an overall political solution to the Yugoslav crisis. The Government of Croatia claimed there was no longer any "overall political solution" to negotiate. The only issue was the return of the UNPAs and the "pink zones" to Croatian control. The Serb leadership in the UNPAs, however, refused to consider these territories to be a part of Croatia and rejected talks on this basis, recalling that the plan was explicitly not intended to pre-

judge a political solution to the Yugoslav crisis. Further, the Serbs argued that two parties to the original plan, the President of Serbia and the Federal Yugoslav military authorities in Belgrade, no longer had recognized legal status in the areas where UNPROFOR was deployed. Therefore, the mandate and deployment of UNPROFOR now needed to be discussed anew with the Serbs representing the so-called "Republic of Serb Krajina".

In these circumstances, the Secretary-General saw three options with regard to UNPROFOR's mandate in Croatia: (1) to renew the mandate entrusted to UNPROFOR by resolution 743 (1992), with no change; (2) to modify that mandate; and (3) to give UNPROFOR no mandate in Croatia and confine its operations to Bosnia and Herzegovina and to Macedonia.

Referring to option one, the Secretary-General stated that the Government of Croatia made it clear that it could agree to a renewal of UNPROFOR's present mandate only if certain conditions were met, including the complete disarmament of all paramilitary forces and militia in the UNPAs and the "pink zones" with a destruction of their heavy weapons, voluntary and unconditional return of all refugees and displaced persons to their homes in the UNPAs, maintenance of tight controls by the Force in those border areas where the boundaries of the UNPAs coincide with internationally recognized frontiers of Croatia; and restoration of Croatian authority in the "pink zones". The Government's position, in effect, required UNPROFOR either to negotiate results which — as a peace-keeping force relying on the cooperation of the parties — it had no power to compel the other side to accept, or to risk unilateral military action by the Government. In addition, the Croatian offensive had had a devastating effect on cooperation between UNPROFOR and the local Serb authorities, who felt "betrayed" by what they saw as UNPROFOR's failure to protect them, and had put in doubt the feasibility of a return to the original plan.

On the second option, the Secretary-General warned against any modification resulting in enforcement action, saying that such action would involve the danger of placing UNPROFOR in direct conflict with the Serbs. Enforcement would also require additional military forces and equipment which could not be deployed immediately upon the passage of an enforcement resolution by the Security Council. The mere passage of an enforcement resolution risked threatening the safety and security of United Nations peace-keeping personnel currently deployed in the UNPAs and some, perhaps most, troop-contributing countries might in these circumstances review their participation in UNPROFOR. Enforcement, the Secretary-General stated, "would be a fundamental contradiction of the nature and purpose of UNPROFOR's deployment in Croatia, as a peace-keeping force entrusted with the implementation of a plan agreed by all parties." As to an alternative modification of the mandate which would convert UNPROFOR into a buffer force deployed along the present front lines in order to prevent a recurrence of hostilities, the Secretary-General did not believe that such an approach would receive the consent of the Government of Croatia.

Speaking of option three, the Secretary-General believed that the withdrawal of UNPROFOR from the UNPAs would almost certainly result in the resumption of large-scale hostilities in the areas of its deployment, nullifying the political effort and the material resources invested in ending the conflict that had raged for nearly a year before the deployment of UNPROFOR.

In the Secretary-General's judgement, the difficulties which UNPROFOR and the Security Council faced with regard to the Force's mandate in Croatia could be attributed to two principal factors: the inability to implement the peace-keeping plan; and the lack of an agreed settlement to the

conflict between the Republic of Croatia and the Serb populations living in the UNPAs and the "pink zones". Unless these two factors were addressed, the Secretary-General concluded, a sound basis would not exist for renewing UNPROFOR's mandate in Croatia. Urgent efforts needed to be made to resolve the problems arising from the Croatian offensive, to establish a basis for completing the implementation of the United Nations peace-keeping plan and to agree on a framework for negotiating, within the principles of the International Conference on the Former Yugoslavia, a settlement of the underlying dispute. The Secretary-General added that he had asked the Co-Chairmen of the Steering Committee of the International Conference to address these questions urgently with a view to establishing as soon as possible a basis on which a substantive recommendation could be made for an extension of UNPROFOR's mandate.

In the meantime, the Secretary-General recommended that the Security Council decide to extend UNPROFOR's existing mandate for an interim period up to 31 March 1993, in order to give the Co-Chairmen the necessary time.

Bosnia and Herzegovina

Speaking of UNPROFOR activities in Bosnia and Herzegovina, where it had a more limited mandate, the Secretary-General noted in his February 1993 report that the Force had succeeded in keeping Sarajevo airport open, despite interruptions as a result of hostile military action against humanitarian aircraft. In the period from 3 July 1992 to 31 January 1993, the humanitarian airlift organized by UNHCR under UNPROFOR protection brought in 2,476 aircraft carrying 27,460 tons of food, medicines and other relief goods.

The operation to protect humanitarian convoys throughout the Republic had been persistently thwarted by obstruction, mines, hostile fire and the refusal of the parties on the ground, particularly, but not exclusively, the Bosnian Serb party, to cooperate with UNPROFOR. None the less, from the deployment of additional UNPROFOR battalions for this purpose in November 1992 until January 1993, a total of some 34,600 tons of relief supplies had been delivered to an estimated 800,000 beneficiaries in 110 locations throughout Bosnia and Herzegovina.

Although the ban on military flights in the airspace of Bosnia and Herzegovina had been violated by all three parties on nearly 400 occasions since its imposition, it had achieved its principal purpose of preventing the use of air power in military combat in the Republic. UNPROFOR observers, using AWACS information made available by the North Atlantic Treaty Organization (NATO), had found no evidence to suggest that any party has flown combat air missions, or conducted hostilities from the air, since the interdiction regime was established by the Council.

UNPROFOR's efforts in Bosnia and Herzegovina, the Secretary-General pointed out, had been characterized by a regrettable tendency on the part of the host Government to blame it for a variety of shortcomings, whether real or imagined. Criticism of UNPROFOR's performance in the Republic had largely been directed at its failure to fulfil tasks that the Force had not been mandated, authorized, equipped, staffed or financed to fulfil. There had been a number of attacks on the Force by the Government and by elements answerable to it, both in public statements and declarations and, more seriously, through violence, resulting in several UNPROFOR fatalities.

As to UNPROFOR's mandate in Bosnia and Herzegovina, the Secretary-General stated that it might need to be altered significantly when the outcome was known of the ongoing talks led by the Co-Chairmen of the Steering Committee of the

International Conference on the Former Yugoslavia.

Former Yugoslav Republic of Macedonia

Referring to the former Yugoslav Republic of Macedonia, the Secretary-General considered it premature to draw conclusions about the practicability of the mandate and the effectiveness of the UNPROFOR Macedonia Command in this first preventive deployment operation in the history of United Nations peace-keeping.

INTERIM EXTENSION OF UNPROFOR MANDATE

On 19 February 1993, having considered the Secretary-General's report, the Security Council adopted resolution 807 (1993), by which it extended UNPROFOR's mandate for an interim period until 31 March 1993.

The Council demanded, *inter alia*, that the parties and others concerned comply fully with the United Nations peace-keeping plan in Croatia and their other commitments, and refrain from positioning their forces near the UNPAs and in the "pink zones". It invited the Secretary-General to take all appropriate measures to strengthen the security of the Force, in particular by providing it with the necessary defensive means.

The Council urged the parties and others concerned to cooperate fully with the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia in the discussions under their auspices in order to ensure full implementation of the United Nations peace-keeping mandate in Croatia. It also demanded the full and strict observance of all relevant Security Council resolutions relating to the mandate and operations of UNPROFOR in Bosnia and Herzegovina.

UNPROFOR: FEBRUARY 1993 — MARCH 1994

CROATIA

Mandate renewed

In accordance with Security Council resolution 807 (1993) mentioned earlier, the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia held several rounds of talks in New York and Geneva with representatives of the Government of Croatia and the Serb populations living in the UNPAs and the "pink zones". In his 25 March 1993 report to the Council, the Secretary-General stated that while some progress had been made in these talks, fundamental differences remained between the two sides. Having said that more time would be needed to bring the negotiations to a meaningful conclusion, he recommended the extension of UNPROFOR's mandate for a further interim period of three months. He urged the parties to cooperate in implementing UNPROFOR's existing mandate, and to resolve any remaining differences in a spirit of compromise and cooperation.

On 30 March, the Security Council, by adopting its resolution 815 (1993), extended the mandate of UNPROFOR for an additional interim period until 30 June 1993. It also decided to reconsider within one month, or at any time at the request of the Secretary-General, UNPROFOR's mandate in light of developments of the International Conference on the Former Yugoslavia and the situation on the ground. The Council requested the Secretary-General to report to it on how the United Nations peace plan for Croatia could be effectively implemented.

On 25 June, the Secretary-General submitted his further report on the situation in Croatia, in which he drew attention to the failure of the parties to permit implementation of the United Nations plan and to cooperate in establishing a political process leading to an early settlement.

He noted, nevertheless, that the presence of UNPROFOR was indispensable for controlling the conflict, fostering a climate in which negotiations between the parties could be promoted, preventing the resumption or escalation of conflict, providing a breathing-space for the continued efforts of the peacemakers and for supporting the provision of essential humanitarian assistance. He also informed the Council that the termination of UNPROFOR's mandate at that point, in the judgement of his Special Representative, would risk the resumption of a major conflict in the region and cause severe adverse consequences for humanitarian relief operations. The Secretary-General recommended that the Security Council extend the mandate of the Force by a further three months, to 30 September 1993.

In its resolution 847 (1993) of 30 June 1993, the Security Council decided to extend UNPROFOR's mandate for an additional interim period terminating on 30 September 1993, and requested the Secretary-General to report after one month on progress towards implementation of the United Nations peace-keeping plan for Croatia and all relevant Security Council resolutions.

On 16 August, the Secretary-General reported to the Council on this matter. He recommended that no action be taken at that stage and said that he would submit a further recommendation to the Council in the latter half of September 1993.

Implementation of resolution 802

Since the renewed outbreak of hostilities in Croatia, precipitated by the Croatian incursion into the UNPAs and "pink zones" on 22 January 1993, intensive efforts have been made within the framework of the International Conference on the Former Yugoslavia and by UNPROFOR to bring about a cease-fire and a restoration of the prior status in accordance with Security Council resolution 802 (1993) of 25 January 1993.

On 8 April 1993, the Secretary-General reported to the Security Council that representatives of the Government of Croatia and the Serb local authorities had signed, on 6 April, an agreement regarding the implementation of this resolution.

The agreement was to enter into force when the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia received from both parties assurances regarding the stationing of police in the areas from which the Croatian Government's armed forces were withdrawn, and their agreement that UNPROFOR should exclusively fulfil all police functions in those areas during an interim period. The Croats orally gave that assurance at the time of signature; the Serb assurance required the approval of their Assembly. That approval was not forthcoming and the agreement therefore did not enter into force.

The parties also agreed to begin talks, under the auspices of the Co-Chairmen of the Steering Committee, within 15 days of implementation of the agreement in order to resolve outstanding obstacles to the full implementation of the United Nations plan for Croatia.

The UNPROFOR Force Commander assessed the additional resources required to implement the agreement and recommended that UNPROFOR be augmented by two mechanized infantry battalions of some 900 all ranks each, one engineer company of up to 150 troops all ranks, and 50 additional military observers. The Secretary-General recommended that, once the agreement entered into force, the Security Council approve the recommended changes to UNPROFOR's strength and mandate.

However, on 6 July 1993, new tensions arose following the decision of the Croatian Government to take unilateral actions aimed at rebuilding and

reopening the Maslenica bridge on 18 July. Though, in pursuance of the Erdut/Zagreb agreement concluded on 15/16 July 1993, which required the withdrawal of Croatian armed forces and police from the area of the Maslenice bridge by 31 July 1993, UNPROFOR had moved 2,000 troops into the areas adjacent to those from which the Croatian forces were to withdraw, these troops could not be deployed because the Croatian military authorities would not allow UNPROFOR full access to the areas concerned.

On 2 August 1993, following Croatia's failure to withdraw from the area and Serb shelling thereof, one of the pontoons of the Maslenica bridge sank. However, the Co-Chairmen concluded that there was still enough common ground to continue negotiations. Accepting the invitation of the Co-Chairmen, the parties began negotiations in Geneva on 12 August 1993, on a cease-fire which would include the elements of the original Erdut/Zagreb agreement. Despite intensive discussions in Geneva, Zagreb and Knin between the representatives both of the Co-Chairmen and of the parties, an overall cease-fire agreement could not be achieved.

On 9 September, after several days of grave incidents in the UNPAs and "pink zones", and rising tensions, shelling intensified on both sides of the confrontation line, and the Croatian Army once again carried out a military incursion in the area of Medak, where three Serb villages were seized. The hostilities worsened on 10 and 11 September. Following the intervention of the Secretary-General's Special Representative and the UNPROFOR Force Commander, and a call from the Security Council, the parties finally agreed to a cease-fire on 15 September. UNPROFOR moved some 500 to 600 troops into the area to replace the Croatian armed forces which eventually withdrew to positions occupied before the incursion began. When UNPROFOR gained access to the area it found that most houses had been deliberately destroyed during the withdrawal. Eighteen corpses were recovered, most of them riddled with multiple bullet wounds or incinerated.

BOSNIA AND HERZEGOVINA

"No-fly zone" enforcement

On 16 March 1993, the Secretary-General reported that three aircraft dropped bombs on two villages east of Srebrenica on 13 March, before leaving in the direction of the Federal Republic of Yugoslavia (Serbia and Montenegro). It was the first time since the Security Council instituted the "no-fly zone" in Bosnia and Herzegovina that aircraft were used in combat activity in that country. UNPROFOR has not been able to determine to whom the aircraft belonged. On 17 March, the Security Council, in a statement by its President, strongly condemned all violations of its relevant resolutions and underlined the fact that since the beginning of the monitoring operations in early November 1992, the United Nations had reported 465 violations of the "no-fly zone". The Council demanded from the Bosnian Serbs an immediate explanation of the violations and particularly of the aerial bombardment of the two villages, and requested the Secretary-General to ensure that an investigation was made of the reported possible use of the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) to launch air strikes against Bosnia and Herzegovina. On 27 April, the Secretary-General reported to the Council that on 24 March the Federal Republic of Yugoslavia (Serbia and Montenegro) had been requested to provide any information relevant to the incidents. The only response received was a note verbale conveying a statement by the Government of that country, in which it stated that "airplanes and helicopters of the Air Forces of the Army of Yugoslavia have not violated the airspace of Bosnia and Herzegovina since the no-fly zone came into effect".

On 31 March, the Security Council adopted its resolution 816 (1993), by which it extended the ban on military flights to cover flights by all fixed-wing and rotary-wing aircraft in the airspace of Bosnia and Herzegovina. Acting under Chapter VII of the Charter, the Council authorized Member States, seven days after the adoption of the resolution, acting nationally or through regional arrangements, to take, under the authority of the Security Council and subject to close coordination with the Secretary-General and UNPROFOR, "all necessary measures" in the airspace of Bosnia and Herzegovina to ensure compliance with the ban on flights, and proportionate to the specific circumstances and the nature of flights. It also requested the Member States concerned, the Secretary-General and UNPROFOR to coordinate closely on those measures and on the starting date of the implementation, which was to be no later than 14 days from the date of the resolution, and to report on the starting date to the Council.

On 9 April, the Secretary-General transmitted to the Security Council a letter from the Secretary-General of NATO, Dr. Manfred Wörner, informing him that the North Atlantic Council had adopted the "necessary arrangements" to ensure compliance with the ban on military flights and that it was prepared to begin the operation at noon GMT on 12 April 1993. Dr. Wörner also reported that France, the Netherlands, Turkey, the United Kingdom and the United States had offered to make aircraft available for the operation. In order to commence the enforcement on time, aircraft from France, the Netherlands and the United States were initially deployed in the region and liaison cells were established at UNPROFOR's headquarters in Zagreb and in Bosnia and Herzegovina (Kiseljak). In addition, UNPROFOR would send a liaison team to the command headquarters of the NATO countries concerned.

The operations authorized by resolution 816 (1993) started, as scheduled, on 12 April at 12.00 GMT. Subsequently, the Secretary-General was informed by NATO that all the countries offering to make aircraft available for the operation would participate fully in it.

Since the establishment of the "no-fly zone" in the airspace of Bosnia and Herzegovina through 1 March 1994, the total number of flights assessed as apparent violations of the ban was 1,484. The most serious incident took place on 28 February 1994, when NATO fighters, acting in accordance with the established procedure, shot down four of six jets in the airspace of Bosnia and Herzegovina which had defied the international ban on military flights and ignored two warnings by the NATO fighters.

"Safe areas"

In March 1993, fighting intensified in eastern Bosnia and Herzegovina, with Bosnian Serb paramilitary units attacking several cities in the area, including Srebrenica. The military attacks resulted in a heavy loss of life among the civilian population and severely impeded United Nations humanitarian relief efforts in the area. In mid-March, UNHCR reported that thousands of Muslims were seeking refuge in Srebrenica from surrounding areas which were being attacked and occupied by Serb forces, and that 30 or 40 persons were dying daily from military action, starvation, exposure to cold or lack of medical treatment. In April, despite strong political pressure from the international community and the Security Council, and the efforts by UNPROFOR and UNHCR in the field, the fighting persisted and the humanitarian situation in the area continued to deteriorate.

On 16 April, the Security Council, acting under Chapter VII of the Charter, adopted resolution 819 (1993), in which it demanded that all parties treat Srebrenica and its surroundings as a "safe area" which should be free from any armed

attack or any other hostile act. It demanded the immediate withdrawal of Bosnian Serb paramilitary units from areas surrounding Srebrenica and the cessation of armed attacks against that town. The Council requested the Secretary-General to take steps to increase the presence of UNPROFOR in Srebrenica and to arrange for the safe transfer of the ill and wounded, and demanded the unimpeded delivery of humanitarian assistance to all parts of Bosnia and Herzegovina, in particular to the civilian population of Srebrenica.

By other provisions of the resolution, the Council condemned and rejected the deliberate actions of the Bosnian Serb party to force the evacuation of civilians from Srebrenica and other parts of Bosnia and Herzegovina in its campaign of "ethnic cleansing". It also decided to send a mission of Council members to ascertain, firsthand, the situation in Bosnia and Herzegovina.

Following the adoption of the resolution, UNPROFOR's Force Commander, the Commander of the Serb forces and the Commander of the Bosnian Muslim forces signed, on 17 April, an agreement for the demilitarization of Srebrenica. On 21 April, UNPROFOR's Force Commander reported that 170 UNPROFOR troops, civilian police and military observers had been deployed in Srebrenica to collect weapons, ammunition, mines, explosives and combat supplies and that by noon on 21 April they had successfully demilitarized the town.

As requested in resolution 819 (1993), the Security Council's fact-finding mission, composed of representatives of France, Hungary, New Zealand, Pakistan, the Russian Federation and Venezuela, visited the region from 22 to 27 April. Having considered the mission's report and recommendations, the Security Council adopted resolution 824 (1993) of 6 May, in which it declared that, in addition to Srebrenica, Sarajevo and other such threatened areas, in particular the towns of Tuzla, Zepa, Gorazde, Bihac and their surroundings, should be treated as safe areas by all the parties concerned. The Council further declared that in those areas armed attacks must cease, all Bosnian Serb military or paramilitary units must withdraw and all parties must allow UNPROFOR and the international humanitarian agencies free and unimpeded access to all safe areas. It authorized the strengthening of UNPROFOR's mandate by an additional 50 military observers to monitor the humanitarian situation in those areas.

On 4 June, the Security Council, by its resolution 836 (1993), acting under Chapter VII of the United Nations Charter, further expanded the mandate of UNPROFOR to enable it to protect the safe areas, including to deter attacks against them, to monitor the cease-fire, to promote the withdrawal of military or paramilitary units other than those of the Bosnian Government and to occupy some key points on the ground. The Council authorized UNPROFOR, acting in self-defence, to take necessary measures, including the use of force, in reply to bombardments against the safe areas or to armed incursion into them or in the event of any deliberate obstruction to the freedom of movement of UNPROFOR or of protected humanitarian convoys. The Council also decided that Member States, acting nationally or through regional arrangements, might take, under its authority, all necessary measures, through the use of air power, in and around the safe areas, to support UNPROFOR.

In response to the Council's invitation to report to it on the requirements for implementing the resolution, the Secretary-General, in his report dated 14 June, indicated that it would be necessary to deploy additional troops on the ground and to provide air support. While the UNPROFOR Force Commander had estimated an additional troop requirement of approximately 34,000 to obtain deterrence through strength, the Secretary-General stated that it was possible to start implementing the resolution under a "light

option", with a minimal troop reinforcement of around 7,600. That option represented an initial approach and had limited objectives. It assumed the consent and cooperation of the parties and provided a basic level of deterrence.

As to the air support, the Secretary-General reported that he had initiated contacts with Member States and had invited NATO to coordinate with him the use of air power in support of UNPROFOR. The Secretary-General pointed out that the first decision to initiate the use of air resources in this context would be taken by him in consultation with the members of the Security Council.

In adopting resolution 844 (1993) of 18 June, the Security Council authorized an additional reinforcement of UNPROFOR initially by 7,600 troops and reaffirmed the use of air power, in and around the declared safe areas in Bosnia and Herzegovina, to support the Force.

On 18 August, the Secretary-General informed the Security Council that following the necessary training exercises in coordination with NATO, the United Nations had the operational capability for the use of air power in support of UNPROFOR.

Hostilities in central Bosnia

The situation in Bosnia and Herzegovina was further aggravated when, in May 1993, intense fighting between the Muslim and Bosnian Croat forces erupted in central Bosnia and Herzegovina. Despite the calls by the Security Council, efforts of the Co-Chairmen of the Steering Committee and UNPROFOR, hostilities between the two former allies have continued since then. The fighting has intermittently blocked the main supply routes for humanitarian assistance into northern Bosnia, and has further restricted the freedom of movement of UNPROFOR and UNHCR in the area. In this connection, UNPROFOR and UNHCR have initiated a humanitarian "Operation Lifeline" to keep the main routes open to help ensure the survival of up to 2.7 million people in Bosnia and Herzegovina during the winter.

Border control

On 10 June 1993, the Security Council, by its resolution 838 (1993), requested the Secretary-General to submit a further report on options for the deployment of international observers on the borders of Bosnia and Herzegovina, with priority being given to its borders with the Federal Republic of Yugoslavia (Serbia and Montenegro), to monitor the implementation of the relevant Security Council resolutions. The Council called for international observers to be drawn from the United Nations and, if appropriate, from Member States.

The Secretary-General reported to the Security Council on 1 July. He presented two options and their respective requirements in terms of human and other resources.

On option one, the Secretary-General said that it would be unrealistic for the Security Council to authorize international observers to establish full control over the borders of Bosnia and Herzegovina as world-wide resources for additional peace-keeping troops were becoming increasingly stretched. Full border control would require a capability to deny passage and to act where borders had already been crossed. It would also mean that UNPROFOR would supersede the national authorities in respect of certain border-control functions.

Border monitoring was another option identified by the Secretary-General. Observers would only observe and report on Bosnia and Herzegovina's borders, and would not be in a position to check the nature of goods coming into and out of the Republic. Even this more limited option would require substantial additional resources, and the necessary personnel and financing might not be available, he said.

The Secretary-General went on to point out that outstanding contributions to United Nations peace-keeping accounts totaled $1,260 million in mid-June 1993, while unpaid assessments amounted to $2,236 million. He said it was "highly probable that in the coming months the Organization will not be able to meet its day-to-day obligations".

On 7 July, the President of the Security Council addressed a letter to the Secretary-General informing him that the members of the Council had considered his report and continued to believe that international observers should be deployed on the borders of Bosnia and Herzegovina. They invited the Secretary-General, bearing in mind the observations in his report, to contact Member States in order to establish whether they were ready, individually or through regional organizations or arrangements, to make qualified personnel available to act as observers along the borders of Bosnia and Herzegovina; and to continue to explore all possibilities for implementation of the border monitors concept.

FORMER YUGOSLAV REPUBLIC OF MACEDONIA

As to UNPROFOR's activities in the former Yugoslav Republic of Macedonia, the Secretary-General reported to the Security Council on 13 July 1993. A Nordic battalion is based at Kjojila, east of Skopje, the capital of the former Yugoslav Republic of Macedonia, and a United States contingent of 315 troops arrived in Skopje in early July, deploying to the former Yugoslav Republic of Macedonia side of the border with the Federal Republic of Yugoslavia (Serbia and Montenegro) on 20 August 1993. United Nations military observers, civilian police and civil affairs officers have also been deployed. UNPROFOR maintains close cooperation with the CSCE monitor mission. It also enjoys an excellent cooperative relationship with the host Government. In his report, the Secretary-General concluded that the Force had so far been successful in its preventive mandate in the former Yugoslav Republic of Macedonia.

UNPROFOR'S MANDATE FURTHER EXTENDED

On 20 September 1993, the Secretary-General recommended that the Security Council renew the mandate of UNPROFOR for a period of six months (as is usual with most United Nations peace-keeping operations). In a report dealing primarily with Croatia, the Secretary-General said that he had been "sorely tempted" to recommend the withdrawal of the Force altogether because of the criticism of UNPROFOR by both sides and the dangers and abuse to which its personnel were exposed, but that such a step could only result in further conflict.

The Secretary-General pointed out that key parts of the original United Nations peace-keeping plan for Croatia had been difficult, if not impossible, to implement, and had become more so since the resumption of hostilities following the Croatian incursion of 22 January 1993. He stressed that the fundamental solution to the problem had to be sought through political dialogue, that the parties themselves had to seek such a solution and take steps towards reconciliation. In this process, the principal objective of UNPROFOR could only be to keep the peace, thereby permitting negotiations to take place on an overall political settlement. To enhance the security of the Force, he requested the extension of close air support to the territory of Croatia.

While recommending the extension of UNPROFOR's mandate, the Secretary-General suggested that the Council demand that the parties in Croatia conclude an immediate cease-fire and cooperate with UNPROFOR, which must be allowed to fulfil the peace-keeping aspects of its mandate. The Secretary-General intended to report to the Council by 30 November 1993 on the

progress made by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia and by UNPROFOR, and might at that time make further recommendations, on the basis of developments during the two months and on the course of negotiations undertaken between the parties.

The Secretary-General also stated that should UNPROFOR's mandate be extended, he would give "favourable consideration" to a suggestion by the President of Croatia that the Force be divided into three parts — UNPROFOR (Croatia), UNPROFOR (Bosnia and Herzegovina) and UNPROFOR (the former Yugoslav Republic of Macedonia) — while retaining its integrated military, logistical and administrative structure under the command of one Special Representative of the Secretary-General and one theatre Force Commander.

In the meantime, on 24 September, the Security Council was informed by the Croatian Government that if the mandate of UNPROFOR was not amended to promote energetic implementation of the relevant resolutions of the Security Council, Croatia would be forced to request UNPROFOR to leave the country not later than 30 November 1993.

On 4 October 1993, after intensive consultations and two interim extensions of UNPROFOR's mandate — for a 24-hour period on 30 September, and for another four days on 1 October — the Security Council, by its resolution 871 (1993), extended the mandate of the Force for a period of six months, through 31 March 1994. The Council took this action under Chapter VII of the Charter reiterating its determination to ensure the security of UNPROFOR and its freedom of movement.

The Council reaffirmed the crucial importance of the full and prompt implementation of the United Nations peace-keeping plan for Croatia and called upon the signatories of the plan and all others concerned, in particular the Federal Republic of Yugoslavia (Serbia and Montenegro), to cooperate in its full implementation. Declaring that continued non-cooperation in the implementation of the relevant resolutions of the Council would have serious consequences, the Council affirmed that full normalization of the international community's position towards those concerned would take into account their actions in implementing those resolutions, including those relating to the United Nations peace-keeping plan for Croatia.

The Council called for an immediate ceasefire agreement between the Croatian Government and the local Serb authorities in the UNPAs, mediated under the auspices of the International Conference on the Former Yugoslavia. It urged all parties to cooperate with UNPROFOR in reaching and implementing an agreement on confidence-building measures, including the restoration of electricity, water and communications in all regions of Croatia. Stressing the importance of restoring Croatian authority in the "pink zones", the Council called for the revival of the Joint Commission established under the chairmanship of UNPROFOR.

In addition, the Council took note of the Secretary-General's intention to establish three subordinate commands within UNPROFOR — in Croatia, Bosnia and Herzegovina and the former Yugoslav Republic of Macedonia — while retaining all other existing dispositions for the direction and conduct of the United Nations operation in the territory of the former Yugoslavia.

The Council decided to continue to review urgently the extension of close air support to UNPROFOR in the territory of Croatia as recommended by the Secretary-General. It authorized UNPROFOR, in carrying out its mandate in Croatia, acting in self-defence, to take the necessary measures, including the use of force, to ensure its security and its freedom of movement.

It requested the Secretary-General to report within two months on progress towards the implementation of the United Nations peace-keeping plan for Croatia and of all relevant Council resolutions, taking into account the position of the Croatian Government, as well as on the outcome of the International Conference negotiations. In light of that report, the Council would reconsider UNPROFOR's mandate.

FURTHER DEVELOPMENTS

UNPROFOR's mandate in Croatia unchanged

As requested by Security Council resolution 871 (1993), the Secretary-General submitted his further report on 1 December 1993. He stated that various initiatives were under way, with the cooperation of the two sides in the Croatian conflict, which could lead to implementation of the United Nations peace-keeping plan for the Republic. Therefore, he would not recommend that the Council reconsider the mandate of UNPROFOR in Croatia ct that stage. However, he strongly urged the two sides to intensify their efforts for achieving a cease-fire agreement, for instituting practical measures of economic cooperation and for negotiating a lasting political settlement. He also appealed to them to extend their cooperation to UNPROFOR as it sought to improve conditions in the UNPAs.

The Secretary-General also reported that talks aimed at achieving a comprehensive cease-fire in and around the UNPAs in Croatia and initiating discussions on economic confidence-building steps were continuing within the framework of the International Conference on the Former Yugoslavia.

In a letter dated 17 December 1993, the President of the Security Council informed the Secretary-General that the members of the Council agreed with the observations contained in his 1 December report regarding the mandate of UNPROFOR in Croatia.

On 17 December 1993, Croat representatives and local Serb authorities in Croatia signed a Christmas Truce Agreement, mediated by UNPROFOR. The two parties undertook to cease all armed hostilities along all existing confrontation lines from midnight on 23 December until midnight on 15 January 1994. They also agreed to implement certain confidence-building measures, and to open negotiations as soon as the truce took effect on a "general and lasting" cease-fire, with the separation of forces on both sides. Subsequently, the truce was extended beyond 15 January and has generally held since then.

CEASE-FIRES IN BOSNIA NOT RESPECTED

In the meantime, the military and humanitarian situation in Bosnia and Herzegovina continued to worsen. On 9 November 1993, the Security Council, in a statement by its President, expressed deep concern at the reported deterioration of the situation in central Bosnia and Herzegovina where increased military activities posed a serious threat to the security of the civilian population. The Council was equally concerned at the overall humanitarian situation in that Republic and demanded again that all parties concerned guarantee unimpeded access for humanitarian assistance.

In a separate statement issued on the same day, the Council condemned all attacks and hostile acts against UNPROFOR by all parties in Bosnia and Herzegovina, as well as in Croatia, "which have become more frequent over the last weeks", and demanded that "they cease forthwith".

Although numerous cease-fire agreements were signed by the warring parties in Bosnia and Herzegovina, practically none of them were implemented and the military situation remained

grave. Notwithstanding the Joint Declarations on the delivery of humanitarian assistance, signed by the three sides at Geneva on 18 and 29 November 1993, the level of violence, the imposition of bureaucratic procedures hindering the transport of relief goods or the denial of clearance for the passage of UNHCR convoys reduced deliveries of humanitarian assistance to half the amount required. Furthermore, elements of all three sides deliberately fired upon relief convoys and United Nations personnel.

On 17 January 1994, the Security Council, in a Presidential statement, condemned any hostilities in United Nations-designated "safe areas", particularly the relentless bombardment of Sarajevo by Bosnian Serb forces, and demanded an immediate end to attacks against Sarajevo, which had resulted in a large number of civilian casualties, disrupted essential services, and aggravated an already severe humanitarian situation.

The Council reaffirmed its commitment to implement all its relevant resolutions, in particular resolution 836 (1993), by which it had authorized UNPROFOR to use force to protect Sarajevo and five towns previously declared "safe areas" in Bosnia and Herzegovina, and expressed its readiness to consider further measures to ensure that all parties in Bosnia and Herzegovina abided by their commitments.

Strongly deploring the deliberate obstruction of humanitarian relief convoys by any party, the Council reiterated its demand for unimpeded access for humanitarian relief assistance, and condemned attacks against personnel of the United Nations and of humanitarian organizations. It also deplored the failure of the parties to honour the cease-fire agreement, condemned the flagrant violations of international humanitarian law and held the perpetrators personally responsible.

SECURITY COUNCIL CONDEMNS CROATIAN INTERFERENCE IN BOSNIA

On 28 January 1994, in a letter to the President of the Security Council, the Prime Minister of Bosnia and Herzegovina reported that military formations of the regular armed forces of Croatia, supplemented by heavy artillery, armoured vehicles and numerous other war materials, were involved in military actions on his country's territory.

At informal consultations on the same day, the Council asked UNPROFOR to submit an urgent report on the letter. On 1 February, the Secretary-General reported that the Croatian Army (HV) had been directly supporting the Bosnian Croat Army (HVO) with manpower, equipment and weapons for some time. The number of Croatian soldiers had apparently increased following successful offensives of Bosnian Government forces against the HVO. It was assessed that in total there were approximately 3,000 to 5,000 Croatian regular army personnel in Bosnia and Herzegovina. The Secretary-General emphasized, however, that this was an estimation, as it was impossible with UNPROFOR's assets to obtain required information for a more accurate account. The Secretary-General also reported on cross-border movement of military equipment.

In a Presidential statement issued on 3 February, the Security Council strongly condemned Croatia for deploying elements of its Army and heavy military equipment in the central and southern parts of Bosnia and Herzegovina, and demanded that they be withdrawn. The Council stated that it would consider "other serious measures", if Croatia failed to put an immediate end to "all forms of interference" in that Republic. The Council requested the Secretary-General to monitor the situation and report within two weeks on progress towards complete and full withdrawal. The Council again condemned the acquisition of territory by force as well as the "practice of 'ethnic cleansing' by whomsoever committed", and reaf-

firmed the sovereignty, territorial integrity and independence of Bosnia and Herzegovina.

The Secretary-General informed the Council, in a letter dated 18 February 1994, that despite its demand for non-interference in Bosnia and Herzegovina, some 5,000 Croatian Army troops were still believed to remain in that country. Also, no action had been taken regarding the proposed establishment of a monitoring mechanism to verify troop withdrawals.

The Secretary-General also stated that, while no HV command posts nor any full HV brigades operating as formed units had been identified, it appeared that HV troops might be removing their insignia while in Bosnia and Herzegovina. UNPROFOR believed that HV insignia on a number of vehicles had also been erased or repainted. The Secretary-General stated that UNPROFOR would continue to monitor developments to the extent possible.

QUESTION OF AIR STRIKES ARISES

In a separate development, the Heads of State and Government participating in the summit meeting of NATO, held in Brussels on 10 and 11 January 1994, issued a Declaration, by which, *inter alia*, they deplored the continuing conflict in the former Yugoslavia. They expressed their continued belief that the conflict in Bosnia and Herzegovina must be settled at the negotiating table and not on the battlefield, and supported the efforts of the United Nations and the European Union to secure a negotiated settlement in that Republic. They were determined to "eliminate obstacles to the accomplishment of the UNPROFOR mandate" and called for the full implementation of Security Council resolutions regarding the reinforcement of UNPROFOR. They reaffirmed their readiness under the authority of the Security Council "to carry out air strikes in order to prevent the strangulation of Sarajevo, the safe areas and other threatened areas in Bosnia and Herzegovina". In this context, they urged UNPROFOR "to draw up urgently plans to ensure that the blocked rotation of the UNPROFOR contingent in Srebrenica can take place and to examine how the airport at Tuzla can be opened for humanitarian relief purposes".[4/]

On 12 January, the Secretary-General instructed his new Special Representative for the former Yugoslavia, Mr. Yasushi Akashi,[5/] to undertake an urgent preparatory study of the proposal. In his report to the Secretary-General on 17 January, the Special Representatives reaffirmed the urgent necessity of rotating the contingent in Srebrenica. As to Tuzla, it was concluded that the opening of the main airfield there would improve the flow of humanitarian supplies to the Tuzla safe area. In both cases, it was confirmed that the use of air power could make an important contribution if a military operation by UNPROFOR was needed for those purposes.

On 18 January, the Secretary-General sent a letter to the President of the Security Council, conveying those conclusions. He indicated, however, that in both cases the use of air power to attain proposed objectives would require military assets in excess of what was available to UNPROFOR in Bosnia and Herzegovina. The Secretary-General also stated that the new proposal to use air power implied that UNPROFOR could launch offensive action against Bosnian Serb elements which obstructed — or threatened to obstruct — its operations. UNPROFOR had previously been allowed to use air support only in defence of United Nations personnel.

The Secretary-General instructed Mr. Akashi, with the assistance of the UNPROFOR Force Commander, to prepare detailed plans for military operations, including the use of air power as required, to ensure the rotation of the contingent in Srebrenica and the opening of the main airfield at Tuzla in close coordination with NATO's South-

ern Command. The Under-Secretary-General for Political Affairs, Mr. Marrack Goulding, was sent to Brussels to brief the Secretary General of NATO on the matter.

On 28 January, the Secretary-General submitted a letter to the President of the Council, containing three scenarios envisaged under the plans prepared under Mr. Akashi's direction by the UNPROFOR Force Commander. In the first scenario, troops in Srebrenica and Zepa could be rotated and the Tuzla airport opened through negotiations and with the consent of the parties. In the second, if the parties did not consent, but were judged unlikely to use military force, existing UNPROFOR military assets would be used with the support, if necessary, of NATO air power. In the third scenario, if the parties resorted to military force, UNPROFOR would use available assets, reinforced with additional troops and equipment contributed by United Nations Member States, and supported, if necessary, by NATO air power.

The first two scenarios, the Secretary-General pointed out, represented "a measured step-by-step approach geared to the attitude of the parties", while the third scenario would imply "a different level of military action" and could not be implemented without Security Council authorization and the deployment of additional troops in the area.

The Secretary-General stated that he would not hesitate to initiate the use of close air support if UNPROFOR were attacked while implementing plans to rotate peace-keepers in Srebrenica and Zepa and to open Tuzla airport. At the same time, he distinguished between close air support involving the use of air power for self-defence, which had already been authorized by NATO, and air strikes for pre-emptive or punitive purposes. NATO forces were not authorized to launch the latter types of air strikes without a decision of the North Atlantic Council.

The Secretary-General said he hoped that the troops could be rotated and the airport opened in accordance with the first scenario, namely, by mutual agreement. However, he noted that UNPROFOR's mandate regarding safe areas in Bosnia and Herzegovina had been adopted under Chapter VII of the United Nations Charter, and the Force did not have to seek the consent of the parties for operations falling within its mandate.

The Secretary-General warned that "any resort to the second scenario, and *a fortiori* to the third scenario" would entail considerable risk for UNPROFOR's operations and for the troops involved in its implementation, as well as for the humanitarian assistance operation in Bosnia and Herzegovina. Nevertheless, he instructed the Special Representative to "pursue actively", in direct contact with the Government of Bosnia and Herzegovina and the leadership of the Bosnian Serbs, the implementation of the two plans. In the specific circumstances of UNPROFOR operations in Srebrenica and Tuzla, the Secretary-General delegated to his Special Representative the authority to approve a request for close air support from the Force Commander.

In concluding his letter to the Council's President, the Secretary-General pointed to the fact that all parties in Bosnia and Herzegovina were trying to take tactical advantage of UNPROFOR's presence and were increasingly questioning its impartiality. He believed that the time had come to reflect on the role of UNPROFOR, and he would undertake a comprehensive review of its functions and responsibilities prior to the Council's consideration of the renewal of the mandate in March 1994.

On 1 March 1994, the Bosnian Serbs, following talks with high-ranking officials of the Russian Federation in Moscow, agreed to open the Tuzla airport for humanitarian purposes. Deployment of UNPROFOR troops around the airport began in early March in preparation for an airlift that was

expected to bring relief supplies to hundreds of thousands of people in the area.

The rotation of troops in Srebrenica, after protracted negotiations with the Bosnian Serb side, was completed on 10 March 1994, with the Dutch troops replacing the Canadian contingent.

AIR STRIKES AUTHORIZATION SOUGHT

Meanwhile, fighting in and around Sarajevo continued unabated, including lethal mortar attacks against civilian targets. On 5 February 1994, a 120-mm mortar round fired at the central market killed at least 58 civilians and wounded 142 others in the worst single incident of the 22-month war. This followed a similar attack on one of the suburbs of Sarajevo on 4 February 1994 in which 10 civilians were killed and 18 injured.

These acts were strongly condemned by the international community. The Secretary-General immediately instructed his Special Representative and the Force Commander of UNPROFOR to proceed to Sarajevo in order to supervise the investigation of the incidents and to prevent further of atrocities.

After initial investigation, UNPROFOR established that the round fired on 4 February had come from a Bosnian Serb position, but it had not been possible to locate the source of the attack against the central market on 5 February.[6/] In a letter dated 6 February to the President of the Security Council, the Secretary-General stated that those two incidents made it necessary, in accordance with resolution 836 (1993),[7/] to prepare urgently for the use of air strikes to deter further such attacks. The Secretary-General also informed the Council that he had requested the Secretary General of NATO to obtain "a decision by the North Atlantic Council to authorize the Commander-in-Chief of NATO's Southern Command to launch air strikes, at the request of the United Nations, against artillery or mortar positions in and around Sarajevo which are determined by UNPROFOR to be responsible for attacks against civilian targets in that city".

TEN-DAY DEADLINE IS SET

On 9 February, moving to end the strangulation of Sarajevo, the North Atlantic Council issued a statement calling "for the withdrawal, or regrouping and placing under UNPROFOR control, within ten days, of heavy weapons (including tanks, artillery pieces, mortars, multiple rocket launchers, missiles and anti-aircraft weapons) of the Bosnian Serb forces located in the area within 20 kilometres [about 12.4 miles] of the centre of Sarajevo, and excluding the area within two kilometres [about 1.2 miles] of the centre of Pale".[8/] It also called upon the Muslim-led Government of Bosnia and Herzegovina, within the same period, "to place the heavy weapons in its possession within the Sarajevo exclusion zone described above under UNPROFOR control, and to refrain from attacks launched from within the current confrontation lines in the city".

The North Atlantic Council decided that, ten days from 2400 GMT 10 February 1994, heavy weapons of any of the parties found within the Sarajevo exclusion zone, unless controlled by UNPROFOR, would, along with their direct and essential military support facilities, be subject to NATO air strikes. The strikes would be conducted in close coordination with the United Nations Secretary-General. The Council accepted the 6 February 1994 request of the United Nations Secretary-General and authorized the Commander-in-Chief, Allied Forces Southern Europe, to launch air strikes, at the request of the United Nations, against artillery or mortar positions in or around Sarajevo, including any outside the exclusion zone, which were determined by UNPROFOR to be responsible for attacks against civilian targets in that city.

In a parallel development, a few hours prior to the announcement of the NATO decision of 9 February, a cease-fire agreement had been reached between the warring parties in Bosnia and Herzegovina regarding the area in and around Sarajevo. The agreement followed intensive discussions at the political and military levels brokered by the Secretary-General's Special Representative, the Force Commander of UNPROFOR and UNPROFOR's Sector Commander for Sarajevo. The agreement involved the positioning of UNPROFOR troops in sensitive areas, monitoring, and the placing of all heavy weapons under UNPROFOR's control.

PREPARATIONS FOR AIR STRIKES

Immediately following the decision by NATO, the United Nations Secretary-General instructed his Special Representative for the former Yugoslavia to finalize, with the Commander-in-Chief, Allied Forces Southern Europe, detailed procedures for the initiation and conduct of air strikes. He delegated to the Special Representative the authority to approve a request from the UNPROFOR Force Commander for close air support for the defence of United Nations personnel anywhere in Bosnia and Herzegovina. The Secretary-General also instructed him and UNPROFOR military authorities to negotiate arrangements under which: (a) there would be an effective cease-fire in and around Sarajevo; (b) the heavy weapons of the Bosnian Serb forces would be withdrawn or regrouped and placed under UNPROFOR control; and (c) the heavy weapons of the Government of Bosnia and Herzegovina would be placed under UNPROFOR control.

SECURITY COUNCIL CONSIDERS SITUATION IN BOSNIA

On 10 February 1994, the Ministry of Foreign Affairs of the Russian Federation stated that NATO's call for the parties — both the Serbs and the Muslims — to place the heavy weapons deployed in the Sarajevo area under United Nations control or withdrawing them from the area was close to the Russian position. At the same time, however, the Russian Federation could not agree with the position of a number of NATO members which interpreted the NATO decision as "a one-sided ultimatum to the Bosnian Serbs, who are being threatened by air strikes". It requested an urgent meeting of the United Nations Security Council, open to all countries concerned, to consider practical ways to demilitarize Sarajevo and to introduce a United Nations administration there. The Security Council meeting to discuss the situation in Bosnia and Herzegovina was also requested by the Government of that country and Pakistan.

The Council met on 14-15 February 1994. Over the course of four meetings, it heard from a total of 58 speakers. Member States generally welcomed the decision by NATO and the steps taken by the Secretary-General to prepare for the use of force, adding that those actions had been fully authorized by existing Council resolutions. They emphasized that force was designed to underpin efforts by the United Nations and the European Union to achieve a negotiated settlement of the conflict, and that air strikes had to be carried out with caution and precision. Although the NATO ultimatum was widely supported, several Member States either opposed it or expressed concern that, as a result of air strikes, UNPROFOR might become a target for retaliatory measures. No Security Council resolution or statement was put forward during the meetings.

HEAVY WEAPONS WITHDRAWN

On 17 February 1994, following a meeting with Russian officials in Bosnia, the Bosnian Serbs agreed to withdraw within two days all their heavy weapons to the distance set by NATO. On 18 February, after discussions in Sarajevo with Bosn-

ian Serb leader Radovan Karadzic and Bosnian President Alija Izetbegovic, and later in Zagreb with the Commander-in-Chief of NATO Southern Command, the Secretary-General's Special Representative reported that progress was being made towards achieving a durable cease-fire, disarmament and disengagement, with a clear-cut role for UNPROFOR.

There was agreement with the Bosnian Serb leader on having extensive and unhindered UNPROFOR patrolling within the weapons exclusion zone covering the 20-kilometre radius from the center of Sarajevo. Heavy weapons not withdrawn from the exclusion zone would be grouped and placed in seven different sites, under the control of armed UNPROFOR elements. An agreement had also been reached with regard to communications, with the full assurance that hot-lines would be established between UNPROFOR and the Bosnian Serb and Muslim sides.

On 20 February 1994, the Security Council met in informal consultations at the request of the Russian Federation, with the NATO deadline for withdrawal of heavy weapons scheduled for midnight that night. The Council was briefed by the Under-Secretary-General for Peace-keeping Operations, Mr. Kofi Annan, who reported that according to the Secretary-General's Special Representative for the former Yugoslavia, the UNPROFOR Force Commander and NATO, Serbian compliance with the ultimatum had been effective. Certain weapons on both the Serb and Muslim sides, which had not been removed from the exclusion zone, would be monitored in place by UNPROFOR. As a result, the Council decided — in coordination with NATO — not to recommend that air strikes be carried out at that time.

The Under-Secretary-General also urged Member States to contribute additional troops with equipment to facilitate the monitoring of the weapons withdrawal and the cease-fire in and around Sarajevo. United Nations troops had been temporarily redeployed for that purpose from other parts of Bosnia and Herzegovina and from Croatia, but they were still needed in those areas.

BOSNIAN GOVERNMENT AND BOSNIAN CROATS AGREE ON CEASE-FIRE

In another positive development, military representatives of the Bosnian Government and the Bosnian Croat sides signed, on 23 February 1994, a cease-fire agreement. Under this agreement, reached at a meeting hosted by UNPROFOR in Zagreb, Croatia, the two parties agreed to the immediate and total cessation of hostilities with effect from noon on Friday, 25 February 1994, a halt to all forms of propaganda against one another, and a fixing of lines of contact and positions as of the time of the cease-fire. UNPROFOR forces were to be positioned at key points; heavy weapons were to be withdrawn or put under UNPROFOR control, and a Joint Commission was to be established, with representatives of both sides and chaired by UNPROFOR.

RESOLUTION 900 (1994)

On 4 March 1994, the Security Council adopted its resolution 900 (1994). The Council called on all parties in Bosnia and Herzegovina to cooperate with UNPROFOR in the consolidation of the cease-fire in and around Sarajevo; to achieve complete freedom of movement for the civilian population and humanitarian goods to, from and within Sarajevo; and to help restore normal life to the city.

The Council requested the Secretary-General to appoint a senior civilian official to draw up an overall assessment and plan of action for the restoration of essential public services in the various opstinas of Sarajevo, other than the city of Pale; and invited him to establish a voluntary trust fund for that purpose.

The Council further requested the Secretary-General to present a report on the feasibility and modalities for the application of protection, defined in resolutions 824 (1993) and 836 (1993), to Maglaj, Mostar and Vitez, taking into account all developments both on the ground and in the negotiations between the parties.

INCREASE IN UNPROFOR STRENGTH REQUESTED

The Secretary-General submitted his report on 11 March 1994. He estimated that the implementation of resolution 900 (1994) would require an increase of the authorized strength of UNPROFOR by a total of 8,250 additional troops, 150 military observers and 275 civilian police monitors. Of these additional troops, 2,200 would be required for the operation in and around Sarajevo and 6,050 for operations in central Bosnia, including Mostar and Vitez. A further 1,500 troops would be needed if the Council were to extend the safe area concept to Maglaj.

The Secretary-General noted that recent developments in Bosnia and Herzegovina had created a new situation, which "should provide numerous opportunities for UNPROFOR to make substantial progress" in the implementation of its mandate. UNPROFOR's ability to achieve those objectives, however, was severely limited by the lack of military resources. If Member States did not provide the necessary personnel, its mandate would have to be modified. "It would be a tragedy for the people of Bosnia and Herzegovina if the present opportunity were lost for lack of resources," he concluded.

As to the restoration of the essential services in Sarajevo, the Secretary-General reported that on 1 March 1994, UNPROFOR had established an Interim Coordination Board to act as a temporary focal point for the various organizations operating in that city. The Board would prepare a comprehensive status report, which would provide the basis for the plan requested by Security Council resolution 900 (1994). The Secretary-General also stated that he would shortly announce the appointment of a senior civilian official, with the title of Special Coordinator, who would coordinate the initial efforts under the overall authority of the Special Representative of the Secretary-General.

STRUCTURE AND COMPOSITION OF UNPROFOR

UNPROFOR is headed by the Secretary-General's Special Representative for the former Yugoslavia and includes military, civil affairs (including civilian police), public information and administrative components, with overall headquarters in Zagreb, Croatia. As of 15 March 1994, the strength of the military personnel, led by the Force Commander, amounted to 30,655, including 580 United Nations military observers. There were also 679 civilian police, 1,075 international civilian staff (including 711 contractual personnel who are not members of the international civil service) and 1,574 local staff.

Four military officers have served as UNPROFOR Force Commander: Lieutenant-General Satish Nambiar (India), from March 1992 to March 1993; Lieutenant-General Lars-Eric Wahlgren (Sweden), from March 1993 to June 1993; Lieutenant-General Jean Cot (France), from June 1993 to March 1994; and, currently, General Bertrand de Sauville de La Presle (France) who took up his duties in mid-March 1994.

Following the adoption of Security Council resolution 871 (1993), the military structure of UNPROFOR has been reorganized under three subordinate commands: UNPROFOR Croatia, under Major General A. Tayyeb (Jordan), headquartered in Zagreb; UNPROFOR Bosnia and Herzegovina, under Lieutenant-General Sir Michael Rose (United Kingdom), headquartered in

Kiseljak; and UNPROFOR former Yugoslav Republic of Macedonia, under Brigadier-General Tryggve Tellefsen (Norway), headquartered in Skopje. The three commanders report to the Force Commander who, together with the civilian, logistical and administrative components, acts under the overall direction of the Special Representative of the Secretary-General.

The military and/or civilian police personnel of UNPROFOR are currently provided by the following countries: Argentina, Bangladesh, Belgium, Brazil, Canada, Colombia, Czech Republic, Denmark, Egypt, Finland, France, Ghana, Indonesia, Ireland, Jordan, Kenya, Malaysia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Poland, Portugal, Russian Federation, Slovak Republic, Spain, Sweden, Switzerland, Tunisia, Ukraine, United Kingdom, United States and Venezuela. During its two years of existence, UNPROFOR has incurred 924 casualties, including 79 fatalities.

FINANCIAL ASPECTS OF UNPROFOR

The rough annual cost of UNPROFOR to the United Nations is approximately $1.2 billion. The costs of the operation are met by assessed contributions from United Nations Member States. As at 28 February 1994, contributions outstanding to the UNPROFOR Special Account amounted to approximately $282.3 million.

II. INTERNATIONAL CONFERENCE

LONDON SESSION

Diplomatic efforts to find a political solution to the conflict in the former Yugoslavia have been ongoing. On 24 July 1992, the Security Council invited the European Community in cooperation with the Secretary-General of the United Nations to examine the possibility of broadening and intensifying the European Community's Conference on Yugoslavia with a view to providing a new momentum in the search for negotiated settlements of the various conflicts and disputes in the former Yugoslavia. The European Community then invited the Secretary-General to co-chair with the Prime Minister of the United Kingdom in his capacity as current President of the Council of Ministers of the European Community, the International Conference on the Former Yugoslavia, which was convened in London on 26-28 August 1992.

The Conference adopted the Statement of Principles for a negotiated settlement of the problems of the former Yugoslavia, and reached a number of other agreements. It also established, under the overall direction of the Permanent Co-Chairmen of the Conference, a Steering Committee co-chaired by the Secretary-General's Personal Envoy, Mr. Vance,[9/] and Lord Owen, who succeeded Lord Carrington as European Community mediator. They would direct Working Groups and prepare the basis for a general settlement and associated measures. They commenced work in continuous sessions at the United Nations Office at Geneva, as of 18 September 1992. The Conference has six Working Groups. It also has an Arbitration Commission and a small secretariat.

WORKING GROUPS[10/]

The Working Group on Bosnia and Herzegovina has promoted a cessation of hostilities and a constitutional settlement in that Republic.

The Working Group on Humanitarian Issues promotes humanitarian relief in all its aspects, including refugees.

The Working Group on Ethnic and National Communities and Minorities recommends initiatives for resolving ethnic questions in the former Yugoslavia. A special group on the former autonomous province of Kosovo has been set up.

The Working Group on Succession Issues is to resolve succession issues arising from the emergence of new States in the territory of the former Yugoslavia.

The Working Group on Economic Issues addresses economic issues arising from the emergence of new States in the territory of the former Yugoslavia.

The Working Group on Confidence and Security-Building and Verification Measures develops confidence-building measures covering military movements, arms control and arms transfers and limitations, and measures for their monitoring and verification.

SEEKING PEACE IN BOSNIA AND HERZEGOVINA

PEACE TALKS

Diplomatic efforts to bring peace to Bosnia and Herzegovina have proceeded on the basis of the principles of the International Conference on the Former Yugoslavia, adopted at its London session in August 1992. Since September 1992, the Co-Chairmen of the Conference's Steering Committee have held a series of complex and difficult talks with the parties concerned. The fundamental objectives of the talks, held within the framework of the Working Group on Bosnia and Herzegovina, have been that the conflict must be stopped and prevented from spreading, while respecting human rights and fundamental freedoms.

On 4 January 1993, during the Geneva round of talks, the Co-Chairmen put to the parties concerned — the Bosnian Government, the Bosnian Croats and the Bosnian Serbs — a comprehensive package as the basis for a fair, just and lasting peace. The package, which became known as the Vance-Owen peace plan, included a set of constitutional principles along with a map setting out the organization of the country into 10 provinces, and an agreement for peace. The Co-Chairmen explained that all three elements of the package were inextricably linked and could not be implemented separately. Mr. Mate Boban, the leader of the Bosnian Croats, accepted all three documents. The other two parties asked for further discussions on parts of the two documents and on the map proposed by the Co-Chairmen.

On 30 January, after further intense negotiations in Geneva, President Alija Izetbegovic of Bosnia and Herzegovina and Dr. Radovan Karadzic, the leader of the Bosnian Serbs, as well as Mr. Boban, signed the nine constitutional principles on the basis of which a new constitution for Bosnia and Herzegovina is to be drafted. Also, the Bosnian Croats and the Bosnian Serbs signed the agreement for peace dealing with the cessation of hostilities, the restoration of infrastructure, the opening of routes, the separation of forces, the demilitarization of Sarajevo, the monitoring of borders, and the return of forces to designated provinces. The Bosnian Government stated that it would not sign the agreement for peace because it felt that the arrangements relating to the control of heavy weapons were not strong enough. As to the provincial boundaries, only Mr. Boban confirmed his acceptance of the proposed map and signed it.

The Co-Chairmen decided to hold a further round of peace talks in New York so that the good offices of the Security Council could be used in helping the three sides to overcome their outstanding difficulties. The first round of New York talks, held from 3 to 8 February 1993, did not produce concrete results. Significant progress, however, was achieved during the resumed round of the talks from 1 to 6 March; on 3 March, President

Izetbegovic, after having been assured by the Force Commander of UNPROFOR that physical control of heavy weapons could be undertaken, signed the agreement for peace. The Bosnian Government and the Bosnian Serb side continued to reject the provincial map.

In addition to the three elements of the peace settlement plan, the Co-Chairmen continued their efforts at promoting an additional component — an agreement among the three Bosnian sides on arrangements for the governance of the country in the interim period between the signing of a peace settlement and the holding of elections under a new constitution. These efforts led to the signing, on 3 March, of a provisional agreement on interim governmental arrangements between the Bosnian Government and the Bosnian Croat side. The Bosnian Serb side did not accept the document.

The next round of New York talks lasted from 16 to 25 March 1993. After further intensive discussions of the working paper on interim governmental arrangements, the Bosnian Government and the Bosnian Croat side signed an agreement on 25 March. As part of that agreement, they also signed a revised map of provincial boundaries. The interim arrangements paper thus formally became the fourth element of the overall peace agreement. The Bosnian Serb side, however, declined to sign the two documents, becoming the only side lagging behind in signature of all four documents.

On 25 March, the Security Council, in a statement by its President, welcomed the signing by President Izetbegovic and Mr. Boban of all four documents of the peace plan. It called on the remaining party to sign without delay the two documents it had not yet endorsed, and to cease its violence, offensive military actions, "ethnic cleansing" and obstruction of humanitarian assistance. The Council stated its readiness to take the steps required to bring about the peace settlement.

The Secretary-General, in his report to the Security Council dated 26 March, stated that the Co-Chairmen's peace package provided the only mechanism available for the re-establishment of peace, with justice and respect for human rights, in Bosnia and Herzegovina. He urged the Council to approve the entire peace package and to call upon the Bosnian Serbs to sign the remaining two documents so that attention might be concentrated on the implementation of the plan. The Secretary-General recommended the early establishment of an International Human Rights Monitoring Mission, which all three parties had expressly accepted. He pointed out that, in accordance with the recommendation of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, discussions continued towards the implementation of a peacekeeping plan that could be endorsed by the Security Council, when all three sides had signed the whole package. The Co-Chairmen had also recommended the establishment of a Boundary Commission in Bosnia and Herzegovina.

SANCTIONS REGIME STRENGTHENED

On 17 April, the Security Council adopted its resolution 820 (1993), by which it commended the Vance-Owen peace plan for Bosnia and Herzegovina and welcomed the fact that the plan had been accepted in full by two of the Bosnian parties. The Council expressed grave concern at the refusal of the Bosnian Serb party to accept the Agreement on Interim Arrangements and the provisional provincial map, and called on that party to accept the peace plan in full.

The Council decided to strengthen the sanctions regime imposed against the Federal Republic of Yugoslavia (Serbia and Montenegro), effective nine days after the date of adoption of the resolution, unless the Bosnian Serb party signed the peace plan and ceased its military attacks in Bosnia and Herzegovina. The stronger sanctions

would prevent diversion to that country of commodities and products, by land and sea, and freeze all its funds held in other Member States.

The further sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) include: preventing the diversion to it of commodities and products said to be destined for other places; authorization by the Sanctions Committee for the transshipment of commodities and products through that country on the Danube; forbidding any vessels registered in that country, owned by it, operated by it or suspected of violating Council resolutions, to pass through installations within the territory of Member States; authorizing Member States to freeze any funds in their territory belonging to that country, to ensure that they were not made available for the benefit of the Yugoslav authorities.

The Security Council expressed its readiness, after all three Bosnian parties had accepted the peace plan and on the basis of verified evidence provided by the Secretary-General that the Bosnian Serb party was cooperating in good faith in effectively implementing it, to review all the measures in that and other relevant resolutions with a view to gradually lifting them.

Despite the efforts of the Co-Chairmen of the International Conference's Steering Committee and, in particular, the intensive round of talks conducted by Lord Owen from 21 to 25 April, the Bosnian Serb side continued to reject the peace plan. The deadline established by Security Council resolution 820 (1993) passed and the new sanctions regime against the Federal Republic of Yugoslavia (Serbia and Montenegro) came into force at midnight on 26 April 1993.

PREPARATIONS FOR IMPLEMENTATION OF VANCE-OWEN PEACE PLAN

In its resolution 820 (1993) of 17 April 1993 referred to above, the Security Council requested the Secretary-General to report on the preparations under way for the implementation of the peace plan once it had been accepted by all the parties.

The Vance-Owen peace plan provided for a wide range of measures requiring the deployment of additional peace-keeping troops in Bosnia and Herzegovina. These measures included the cessation of hostilities throughout Bosnia and Herzegovina, the restoration of infrastructure, the opening of routes, the separation of forces, the demilitarization of Sarajevo, the monitoring of the borders of Bosnia and Herzegovina, and the return of forces to designated provinces.

In his report, dated 26 April, the Secretary-General pointed out that the multitude of tasks envisaged in the peace plan would exceed the planning capability of the United Nations Secretariat and that of UNPROFOR. Therefore, consultations were initiated with NATO which indicated that it would consider a formal request to undertake detailed planning for the implementation of the plan and making available a core headquarters structure into which other potential troop contributors could be incorporated. On the basis of preliminary studies, NATO experts estimated that some 60,000 to 75,000 troops would be required for the implementation of the various military tasks envisaged in the peace plan.

The Secretary-General indicated that the implementation of the plan would involve a United Nations operation conducted under the authority of the Security Council and financed collectively by United Nations Member States under the peace-keeping scale of assessments. The United Nations would have overall political and strategic control which would be exercised by the Secretary-General under the authority of the Security Council.

As to the principal civilian tasks of the peace plan, they included the restoration of law, order and civil authority throughout Bosnia and Herzegovina in conformity with the nine constitu-

tional principles; the preparation of a constitution in accordance with the nine principles; the resolution of problems concerning provincial borders, and related political issues; the preparation of internationally supervised, free and fair elections to be held for the central government as well as the provincial governments; the provision of arrangements for the highest level of internationally recognized human rights through domestic and international mechanisms; the reversal of "ethnic cleansing" and the establishment of conditions in which those refugees and displaced persons who wished to return to their homes might do so; and the provision of humanitarian aid and appropriate levels of relief and rehabilitation assistance.

BOSNIAN SERB "ASSEMBLY" REJECTS VANCE-OWEN PLAN

On 29 April 1993, the Co-Chairmen of the International Conference's Steering Committee, Mr. Vance and Lord Owen, together with Co-Chairman-designate Mr. Thorvald Stoltenberg, convened a further meeting of the three parties to the conflict in Bosnia and Herzegovina. The meeting, which took place from 1 to 2 May in Athens, Greece, was called in response to the announced decision by the Bosnian Serbs to convene their "Assembly" on 5 May to reconsider its previous decision against signing the peace plan. In addition to President Izetbegovic, Mr. Boban and Dr. Karadzic, it was attended by President Franjo Tudjman of Croatia, President Dobrica Cosic of the Federal Republic of Yugoslavia (Serbia and Montenegro), President Slobodan Milosevic of Serbia and President Momir Bulatovic of Montenegro.

The two-day meeting resulted in Dr. Karadzic's signing, on 2 May, the remaining two documents of the Vance-Owen peace plan — the map of provisional provincial boundaries and the agreement on interim arrangements. He indicated, however, that the documents would have to be approved by the Bosnian Serb "Assembly".

The peace process suffered a set-back when, on 5 May, notwithstanding Dr. Karadzic's signature and the strong pressure from the international community and the Federal Republic of Yugoslavia (Serbia and Montenegro), the Bosnian Serb "Assembly" again rejected the peace plan and instead voted to hold a referendum on the subject.

The following day, the Secretary-General issued a statement expressing his feeling that the last word had not been spoken by the Bosnian Serbs. He believed that there would be more negotiations, and that efforts would continue to overcome the current difficulties to obtaining agreement on the peace plan. On 7 May 1993, the Security Council also reaffirmed its position that the Vance-Owen peace plan remained the basis for a peaceful solution to the conflict in Bosnia and Herzegovina, and that the Bosnian Serbs must return to it. It expressed the conviction that preparatory work for implementation of the plan by the Secretary-General and others should continue actively.

SEARCH FOR PEACEFUL SETTLEMENT CONTINUES

By 21 May 1993, however, it had become clear that the international will was lacking to continue pushing for the 10-province solution proposed under the Vance-Owen peace plan and the substantial Bosnian-Serb military roll-back that was implied. In addition, the Bosnian Croats, whose relations with the Bosnian Muslims were already under strain, had started to consolidate their own republic — "Herceg-Bosna". As a result, fighting increased between Muslim-led Bosnian Government forces and the forces of the Bosnian Croats.

Despite the set-backs, the Co-Chairmen continued throughout the summer their search for a negotiated settlement to the conflict in Bosnia and Herzegovina. They have maintained contacts

with different sides to the conflict and concerned Governments, seeking to serve as a channel of communication and to clarify ideas and proposals advanced by the parties during the discussions.

In their contacts in June 1993, the concept of a confederation for Bosnia and Herzegovina was revived. According to this concept, first proposed in March 1992 but rejected at that time by the Bosnian Government, the Bosnian Croats, the Bosnian Muslims and the Bosnian Serbs would each have a republic within the state of Bosnia and Herzegovina. Several rounds of talks to discuss the confederation formula were organized by the Co-Chairmen in Geneva and elsewhere. Through these meetings, the Co-Chairmen sought to engage the parties in a dialogue that could produce mutually acceptable agreements. The Foreign Ministers of the European Union also invited the parties to two meetings to explain their positions and to work out the goals of a settlement.

Through this process, the parties indicated their agreement to a number of targets. As the Co-Chairmen reported to the Security Council on 29 December 1993, the situation following discussions held at Geneva and Brussels in December was as follows:

a. There was agreement among all three sides that Bosnia and Herzegovina should be organized as a Union of three republics;

b. There was agreement that the Muslim-majority republic should have a minimum 33.3 per cent of territory and the Croat-majority republic should have 17.5 per cent;

c. All three leaders accepted the Co-Chairmen's appeal to observe a holiday truce to cover the period 23 December 1993 to 15 January 1994, and undertook to give instructions to their military commanders down to the local level to observe the cease-fire faithfully;

d. The three sides agreed to return to Geneva on 15 January 1994, to continue the search for peace;

e. Working Groups were established to look into the following issues and to help reach agreement on them by 15 January: the definition of the Mostar city area that would be placed under the temporary administration of the European Union, technical arrangements for providing the Muslim-majority republic with road and rail access to Brcko and the Sava river, access of the Muslim-majority republic to the Adriatic Sea, continued discussions on territorial delimitation;

f. All three sides were asked to consult their respective "Assemblies" beforehand so that any agreement concluded at Geneva would come into force immediately upon signature.

Resumed peace talks were held in Geneva on 18 and 19 January 1994, with the attendance of Presidents Bulatovic (Montenegro), Izetbegovic (Bosnia and Herzegovina), Milosevic (Serbia) and Tudjman (Croatia), as well as Dr. Karadzic and Mr. Akmadzic, representing the Bosnian Serbs and the Bosnian Croats respectively. It was hoped that an overall settlement might be concluded.

During this round of talks, a map proposed by the Bosnian Serbs offered the Muslim-majority republic 33.56 per cent of territory. Croatia stated its willingness to sign linked agreements providing the Muslim-majority republic with 99-year leases for use of a port at Ploce, a port on the Neretva River at Celevo, from which seagoing cargo boats or tourist passenger boats could link up with their facilities in Ploce or the existing small port on the Peljesac peninsula.

The Bosnian Croats continued to indicate their readiness to place Mostar under the administration of the European Union for up to two years, while the Bosnian Serbs indicated their readiness to

place Sarajevo under the administration of the United Nations for a similar period.

The Bosnian Serbs and the Bosnian Croats also declared their willingness to pursue discussions to settle the delimitation of territory so as to assure the Bosnian Croats 17.5 per cent of territory. While not rejecting that figure, President Izetbegovic entered a reservation that this must not be to the detriment of the Muslim-majority republic.

President Izetbegovic, although acknowledging that the Muslim-majority republic was being offered 33.56 per cent, believed that the map should be revised so as to include in the territory allocated to his republic certain areas in eastern, western and central Bosnia, while keeping to the target of 33.3 per cent. The Bosnian Serbs said they could not make any more concessions, and the Bosnian Croats insisted that the areas sought by President Izetbegovic in central Bosnia were vital for the Croat-majority republic.

In an effort to overcome this remaining hurdle over the allocation of territory, the Co-Chairmen suggested an arbitration procedure, whereby the disputed territory could be referred to an arbitration commission appointed by the President of the International Court of Justice. The Commission's recommendations would be submitted to the Security Council after a peace agreement had been implemented and forces withdrawn to the provisional boundaries. The Bosnian Croats and the Bosnian Serbs accepted this proposed procedure. The Bosnian Muslims said that they were not ready to accept such a procedure if the Bosnian Croats and the Bosnian Serbs did not withdraw their forces from the areas concerned. As a result, a peace agreement was not achieved.

Briefing the Security Council on the continuing search for peace in Bosnia and Herzegovina, Mr. Stoltenberg stated, on 31 January 1994, that the draft peace plan did not represent what the Co-Chairmen considered to be ideal solutions; rather, it was a synthesis of the deliberations with the parties. The parties were in agreement on a number of fundamental issues, including military arrangements for implementing a cessation of hostilities and human rights provisions. They were also, by and large, close to an agreement on access to the Sava River and to the Adriatic Sea. The outstanding disagreements concerned the allocation of territory, in particular some specific areas in eastern, western and central Bosnia. The Co-Chairman warned that the failure to sign a peace agreement could be followed by further war.

FEDERATION AGREEMENT

In an attempt to facilitate the peace process in Bosnia and Herzegovina, the Government of the United States invited to Washington D.C., in late February 1994, the leaders of the Bosnian Muslims and of the Bosnian Croats, as well as the Foreign Minister of Croatia. After four days of talks on the issue of confederation, Mr. Haris Silajdzic, Prime Minister of Bosnia and Herzegovina, Mr. Mate Granic, Foreign Minister of Croatia, and Mr. Kresimir Zubak, head of the Bosnian Croat delegation at the International Conference on the Former Yugoslavia, signed, on 1 March, two documents: the Framework Agreement establishing a Federation in the Areas of the Republic of Bosnia and Herzegovina with a Majority Bosniac and Croat Population, and the Outline of a Preliminary Agreement for a Confederation between the Republic of Croatia and the Federation.

The United Nations Secretary-General welcomed the agreement; in his remarks to the press on 1 March, he described it as "a very positive initiative". The Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia also welcomed the agreement and expressed gratitude to the United States for facilitating it. However, the Co-Chairmen stressed that peace would not come to Bosnia and

Herzegovina until all three constituent peoples of the Republic agreed to a comprehensive settlement. The Co-Chairmen would help the three parties to settle their differences, with the continuing assistance of the United States and the Russian Federation. In this regard, the Co-Chairmen welcomed the agreement, reached on 1 March in Moscow during the talks between Bosnian Serb leader Dr. Radovan Karadzic and the Russian authorities, to reopen Tuzla airport for humanitarian relief purposes.

III. HUMANITARIAN ISSUES

HUMANITARIAN RELIEF

The United Nations has been providing humanitarian relief assistance to the refugees and displaced persons since the beginning of the conflict in the former Yugoslavia. The United Nations relief effort is coordinated by UNHCR, which at the beginning of the emergency operation was designated as lead humanitarian agency for the former Yugoslavia. In December 1991, it was estimated that there were approximately 500,000 refugees, displaced persons and other victims of the conflict requiring assistance and protection. As the conflict intensified and extended to Bosnia and Herzegovina, the humanitarian problems increased dramatically with the growing number of refugees and displaced persons, widespread violations of basic human rights and international humanitarian law. Under such difficult circumstances, UNHCR, the United Nations Children's Fund (UNICEF), the World Health Organization (WHO), the World Food Programme (WFP), other United Nations agencies concerned, ICRC as well as many non-governmental organizations (NGOs) continue to do their utmost to address the humanitarian needs of the conflict affected population.

The international community responded generously to appeals launched in December 1991 and May 1992 by UNHCR and on behalf of UNICEF and WHO. However, in view of the continued and alarming deterioration of the humanitarian situation, particularly in Bosnia and Herzegovina, it became evident that further assistance was required. Consequently, the International Meeting on Humanitarian Aid to the Victims of Conflict in the Former Yugoslavia, held on 29 July 1992 in Geneva, endorsed a seven-point humanitarian response plan proposed by the United Nations High Commissioner for Refugees, Mrs. Sadako Ogata. The elements of the plan were: respect for human rights and humanitarian law, preventive protection, humanitarian access to those in need, measures to meet special humanitarian needs, temporary protection measures, material assistance, and return and rehabilitation.

Following the International Meeting and a subsequent related meeting of the Inter-Agency Standing Committee, an Inter-Agency Assessment Mission, coordinated by UNHCR with the assistance of the United Nations Department of Humanitarian Affairs, visited the Republics of the former Yugoslavia from 9 to 16 August 1992, to reassess the emergency humanitarian requirements. According to the findings of the Mission, over 2.7 million people were directly affected by the crisis and were in need of emergency humanitarian assistance — particularly in the areas of food, shelter and health care. On the basis of those findings, the Department of Humanitarian Affairs, in close collaboration with UNHCR, other concerned United Nations agencies and NGOs, formulated a Consolidated Inter-Agency Programme of Action and Appeal for the period September 1992 to March 1993. The overall requirements identified by the Assessment Mission amounted to

over $1 billion. Subsequently, it was established that $434 million would be required for addressing life-threatening priority needs to be channelled through the United Nations system. The areas targeted for immediate relief were food, health services and shelter.

The Appeal by the Secretary-General was launched on 4 September 1992, simultaneously, through then Under-Secretary-General for Humanitarian Affairs, Mr. Jan Eliasson, in New York, and through the United Nations High Commissioner for Refugees, Mrs. Ogata, in Geneva. The Secretary-General said in the Appeal that one "particularly unconscionable" aspect of the conflict in the former Yugoslavia was the deliberate attempt to prevent much needed relief assistance from reaching the affected population.

After the launching of the Programme of Action and Appeal, the number of affected persons in need of humanitarian assistance increased significantly. On 11 March 1993, Mrs. Ogata reported to the Security Council that 3.8 million people were receiving assistance in the whole of the former Yugoslavia. In Bosnia and Herzegovina alone, some 2.28 million people, or half of the original population, were beneficiaries of humanitarian assistance from UNHCR, and the situation there was still deteriorating. Mrs. Ogata told Council members that UNHCR's biggest concern remained gaining humanitarian access to the victims, especially to those in the Government-held enclaves in eastern Bosnia and Herzegovina where access had in many instances been denied altogether. She said the enormous suffering and devastation in the former Yugoslavia underscored the critical importance of an immediate cessation of hostilities.

On 17 March 1993, the United Nations issued a revised Consolidated Inter-Agency Appeal for the period from 1 April to 31 December 1993. The Appeal called for $840 million as new funding requirements in addition to the nearly $496 million already spent or committed by seven United Nations and associated agencies in the former Yugoslavia since the beginning of the emergency operation in November 1991.

On 25 March 1993, Mrs. Ogata, in her capacity as the Chairwoman of the Working Group on Humanitarian Issues of the International Conference on the Former Yugoslavia, convened a high-level intergovernmental meeting in Geneva to discuss needs in the war-torn region. More than 55 nations and international organizations participated in the meeting.

The implementation of the international humanitarian assistance programme was further reviewed at a meeting of the Working Group on Humanitarian Issues held in Geneva on 16 July 1993. At a similar meeting held on 8 October 1993, a new Consolidated Appeal was launched, seeking some $696.5 million to cover the urgent humanitarian needs of almost 4.26 million affected people. This amount included revised winter requirements for the period October to December 1993 amounting to $173.9 million over and above the amount previously budgeted in the 17 March 1993 Appeal covering April to December 1993, and new requirements amounting to $522.6 million for humanitarian programmes for the period January to June 1994. Several States announced new contributions, at a time when international relief effort was threatened by insufficient funding.

Under the Appeal, the planned beneficiary population in the former Yugoslavia totalling 4,259,000 persons included some 2.74 million people in Bosnia and Herzegovina, 800,000 in Croatia, 647,000 in Serbia and Montenegro, 27,000 in the former Yugoslav Republic of Macedonia and 45,000 in Slovenia.

UNHCR, the lead humanitarian agency in the former Yugoslavia, would require a total of $288 million. Requirements for other organizations included: WFP, $309 million; WHO, $40 million;

UNICEF, $35 million; the United Nations Development Programme (UNDP), $9 million; the Intergovernmental Organization for Migration (IOM), $7.7 million; the United Nations Industrial Development Organization (UNIDO), $3.5 million; the United Nations Educational, Scientific and Cultural Organization (UNESCO), $2.8 million; and the United Nations Department of Humanitarian Affairs, $125,000.

The humanitarian operations in Bosnia and Herzegovina continued to be seriously obstructed. Access to populations in need was repeatedly denied or sabotaged for political or military purposes, especially by the Bosnian Serb and Bosnian Croat sides. Moreover, all three sides frequently threatened the security of the personnel of UNPROFOR, UNHCR and other organizations. As a result, the international airlift to Sarajevo had to be interrupted several times for security reasons. Convoy operations were also suspended on a number of occasions.

In view of the deteriorating situation on the ground, and the prospect of still greater humanitarian disaster during the winter, the United Nations High Commissioner for Refugees met with the political leadership of the Bosnian parties on 18 November 1993 in Geneva. This meeting was held because on 25 October 1993, following the killing of a Danish UNHCR driver, the Secretary-General had decided to suspend all convoys in central Bosnia. In a Joint Declaration the parties agreed to suspend fighting along the major supply routes to allow passage of international humanitarian convoys, in order to ensure complete and secure freedom of movement for the United Nations and international humanitarian organizations; to prevent diversion of humanitarian assistance to the military and to release all civilian detainees in accordance with the principles of and arrangements by ICRC. The parties also committed themselves to allow UNHCR and ICRC to determine the nature of humanitarian assistance, including priority winterization needs and all materials, supplies, gas and other fuel necessary for the survival of the civilian population.

On 19 November 1993, the Working Group on Humanitarian Issues held a meeting in Geneva with the donor community and other interested States, UNHCR, WFP, UNICEF, WHO, IOM and ICRC to review the state of preparations for the relief effort during the winter period. On 29 November, Mrs. Ogata, in her capacity as the Chairwoman of the Working Group on Humanitarian Issues, addressed a meeting convened by the European Union in Geneva, and attended by the Bosnian parties, at the end of which a Declaration was signed by the military leaders of those parties, reiterating the commitments of 18 November 1993.

Despite reports, following the November Joint Declarations, of some initial improvement in relief distribution in some areas, serious problems of access persisted: only 50 per cent of humanitarian assistance was getting through.

On 19 January 1994, the High Commissioner for Refugees expressed fears for the fate of tens of thousands of civilians in Bosnia and Herzegovina deprived of basic humanitarian assistance, despite repeated assurances by all Bosnian sides to let the aid through. In conveying her concern to the representatives of the warring parties attending the Geneva peace talks, she made particular mention of the civilian population in Maglaj, Tesanj, east Mostar, Gorazde and parts of central Bosnia.

In terms of food aid, WFP reported on 3 February 1994 that, although refugee needs in the former Yugoslavia were covered for the winter, there would be shortages in the spring, since only 67 per cent of the food requirements had been met until the end of June 1994, leaving a shortfall of 145,000 tons, valued at $86 million. For the whole of 1994, nearly 750,000 metric tons of

food aid, valued at some $500 million, was required for the former Yugoslavia.

As to Bosnia and Herzegovina, WFP reported that despite low levels of deliveries to central Bosnia at the end of 1993, average monthly deliveries to that Republic had actually increased in the last six months of 1993, reflecting the international community's resolve to get aid through, despite the obstacles, as well as the increased availability of food aid in the latter part of 1993, and the increased amounts moved by airlift through the Sarajevo airport. The airlift has been providing most of the food needs of Sarajevo, and it has provided assistance to the besieged populations in Maglaj, Tesanj and Mostar. On 4 April 1994, UNHCR reported that the airlift to Sarajevo had surpassed the 100,000-metric-ton-mark.

Since February 1993, humanitarian relief to certain inaccessible areas in Bosnia and Herzegovina has also been provided by means of airdrops — an operation initiated by the United States in collaboration with several other countries. The capacity of this operation undertaken by a number of countries has increased substantially with the addition of 12 American, three German and one French aircraft. Relief aid was expected to increase to more than 3,600 tons per month, compared to a monthly average of 1,000 tons for the last six months of 1993.

In February and March 1994, cease-fire arrangements in Sarajevo, in central Bosnia and around Mostar have alleviated suffering and deprivation and have brought considerable relief to the populations in these areas. In addition, political developments leading to accords on new constitutional arrangements for the Bosnian Muslim and the Bosnian Croat communities as well as an agreement on a proposed confederation between Bosnia and Herzegovina and Croatia have given a new impetus to the peace process and have facilitated access for humanitarian convoys through routes hitherto closed or very difficult to use. An inter-agency assessment mission composed of representatives of humanitarian agencies participating in the relief operation in the former Yugoslavia visited the area between 18 and 25 March 1994. On the basis of the mission's findings, a revised United Nations inter-agency consolidated appeal will be issued jointly in May 1994 by the Department of Humanitarian Affairs and by UNHCR. The revised appeal — the 8th United Nations appeal since the beginning of the crisis in former Yugoslavia — will cover humanitarian needs for the period 1 July until 31 December 1994. The appeal will address emergency needs for a revised beneficiary population of 4,121,500 persons with programmes amounting to approximately $500 million. The United Nations humanitarian assistance operations have succeeded in alleviating suffering and saving hundreds of thousands of lives. It is hoped that the limited and fragile gains made recently in Sarajevo and in central Bosnia will be consolidated and strengthened further allowing for an early transition from emergency assistance to rehabilitation and reconstruction efforts for the benefit of people affected by conflict in Bosnia and Herzegovina and other parts of former Yugoslavia.

"ETHNIC CLEANSING" AND OTHER HUMAN RIGHTS VIOLATIONS

Throughout the conflict, there have been massive and systematic violations of human rights, as well as grave violations of humanitarian law in most of the territory of the former Yugoslavia, in particular in Bosnia and Herzegovina. "Ethnic cleansing" — the elimination, by the ethnic group exercising control over a given territory, of members of other ethnic groups — is believed to be the direct cause of the vast majority of human rights violations. The practice of "ethnic cleansing" involves a variety of methods, including harassment, discrimination,

beatings, torture, rape, summary executions, expulsions, shelling of civilian population centres, relocation of populations by force, confiscation of property and destruction of homes and places of worship and cultural institutions.

In a series of resolutions and Presidential statements, the Security Council has condemned the practice of "ethnic cleansing" and other violations of human rights and international humanitarian law. On 13 July 1992, the Security Council, in its resolution 764 (1992), reaffirmed that all parties were bound to comply with the obligations under international humanitarian law and in particular the Geneva Conventions of 12 August 1949 for the protection of war victims, and that persons who commit or order the commission of grave breaches of the Conventions were individually responsible in respect of such breaches.

On 4 August 1992, concerned at the continuing reports of widespread violations of international humanitarian law and, in particular, reports of the imprisonment and abuse of civilians in camps, prisons and detention centres within the territory of the former Yugoslavia and especially in Bosnia and Herzegovina, the Council, in a Presidential statement, condemned any such violations and abuses. It also demanded that relevant international organizations, and in particular ICRC, be granted immediate, unimpeded and continued access to all such places and called upon all parties to do all in their power to facilitate such access.

On 13 August, by resolution 771 (1992), the Security Council reaffirmed that all parties to the conflict were bound to comply with their obligations under international humanitarian law, and strongly condemned violations, including "ethnic cleansing". With this, the Council again demanded that relevant international humanitarian organizations, in particular ICRC, be granted immediate, unimpeded and continued access to all camps, prisons and detention centres within the territory of the former Yugoslavia.

It further called on States and international humanitarian organizations to collate substantiated information relating to violations of international humanitarian law, and requested the Secretary-General to submit such information to the Council with recommendations on an appropriate follow-up response. Acting under Chapter VII of the Charter, the Council decided that all parties and others concerned in the former Yugoslavia should comply with the provisions of its resolution 771 (1992).

GENERAL ASSEMBLY ACTS

On 25 August 1992, the General Assembly, in its resolution 46/242, condemned the massive violations of human rights and international humanitarian law, in particular the abhorrent practice of "ethnic cleansing", and demanded that that practice be brought to an end immediately. It called for further steps to stop the massive and forcible displacement of population from and within Bosnia and Herzegovina, as well as all other forms of violation of human rights in the former Yugoslavia.

The Assembly affirmed the accountability of States for human rights violations committed by their agents upon the territory of another State and called upon all States and international organizations not to recognize the consequences of the acquisition of territory by force and of "ethnic cleansing". The Assembly also demanded the safe, unconditional and honourable repatriation of the refugees and deportees to their homes in Bosnia and Herzegovina and recognized their right to receive reparation for their losses.

On 18 December 1992, the General Assembly adopted two more resolutions — one dealing with the situation in Bosnia and Herzegovina (47/121),[11/] and the other on the situation of human rights in the territory of the former Yugoslavia (47/147).

RELEASE OF PRISONERS AND DETAINEES

The international community continued its efforts to facilitate the release of prisoners and detainees within the territory of the former Yugoslavia, in particular in Bosnia and Herzegovina. It was widely believed that only a very small percentage of detainees were genuine prisoners of war, with most prisoners being innocent civilians.

After ICRC visited camps and detention centres in August 1992, the three Bosnian sides agreed on 27 August on the release of all civilians who had been illegally detained and on the evacuation of the sick and wounded from the camps. On 1 October, the parties signed, under ICRC auspices, an Agreement on the Release and Transfer of Prisoners, thereby committing themselves to liberate all detainees including the small percentage of combatants detained — except those who were accused of committing grave breaches of international humanitarian law — in accordance with plans of release to be prepared by ICRC. That Agreement, which was to be implemented by 31 October 1992, was based on the Programme of Action on Humanitarian Issues drawn up at the London session of the International Conference on the former Yugoslavia.

From July until the end of December 1992, ICRC registered approximately 10,800 detainees in more than 50 known places of detention in Bosnia and Herzegovina. During that period, a total of 5,534 prisoners were released under ICRC auspices and transferred to safe areas. In addition, some 2,500 persons are believed to have been released or exchanged without an ICRC presence. ICRC estimated at that time that there were still a considerable number of prisoners, mostly civilians, who had not been visited or registered. According to ICRC, the Agreement of 1 October was not implemented because the three sides did not fully respect their obligations under the Agreement, and also because of difficulties in finding third countries willing to accept the prisoners wishing to be transferred temporarily to neighbouring countries.

REPORTS OF MASSIVE RAPE

On 18 December 1992, appalled by reports of the massive, organized and systematic detention and rape of women, in particular Muslim women, in Bosnia and Herzegovina, the Security Council, by its resolution 798 (1992), strongly condemned these acts of unspeakable brutality, expressed support for the initiative of the European Community to dispatch a delegation to investigate the situation, and requested the Secretary-General to provide all necessary support to enable the delegation to have free and secure access to the places of detention.

The investigative mission made two visits to the former Yugoslavia, from 18 to 24 December 1992, and from 19 to 26 January 1993. Its final report was circulated as a document of the Security Council on 3 February 1993.

SPECIAL RAPPORTEUR APPOINTED BY THE COMMISSION ON HUMAN RIGHTS

In a separate development, on 13-14 August 1992, the United Nations Commission on Human Rights[12/] convened a special session — the first ever in its history — on the human rights situation in the former Yugoslavia. The Commission, in its resolution 1992/S-1/1, condemned "ethnic cleansing" and human rights violations, especially in Bosnia and Herzegovina. It asked that its Chairman appoint a Special Rapporteur to investigate firsthand the human rights situation in the former Yugoslavia, in particular within Bosnia and Herzegovina, to make recommendations for ending human rights violations as well as for preventing future occurrences, and to gather systematically information on possible human rights violations which may constitute war crimes.

Subsequently, Mr. Tadeusz Mazowiecki, former Prime Minister of Poland, was appointed as Special Rapporteur.

Since then, Mr. Mazowiecki conducted several missions to the former Yugoslavia and submitted regular reports to the Commission, which were also made available to the General Assembly and the Security Council. The Special Rapporteur concluded, in his first report of 28 August 1992 and reconfirmed in his second report of 27 October 1992, the following: "Human rights violations are being perpetrated by all parties to the conflicts. There are also victims on all sides. However, the situation of the Muslim population is particularly tragic: they feel that they are threatened with extermination."

The Special Rapporteur's second and third reports were considered at the second special session of the Commission on Human Rights on 30 November–1 December 1992. The second report concentrated primarily on Bosnia and Herzegovina, especially on the practice of "ethnic cleansing", and also gave attention to the human rights situations in Croatia and Serbia. The third report indicated that "ethnic cleansing" not only continued, but in some regions intensified, with the primary responsibility falling on the Serbian authorities in de facto control of certain territories in Bosnia and Herzegovina and in the UNPAs in Croatia. The command of the JNA and the political leadership of the Republic of Serbia were also identified as sharing responsibility. According to this report, Albanians, Croats, Hungarians, Muslims and other minority groups were discriminated against in Kosovo, Vojvodina and Sandzak (Muslim denomination of a region located partly in Serbia and partly in Montenegro). At the same time, discrimination and serious violations of the human rights of Serbs also occurred in territories controlled by the Government of Bosnia and Herzegovina, and to a somewhat greater extent in territory under the control of Bosnian Croats. Discrimination and other human rights abuses also occurred in Croatia, in particular against Serbs.

On 30 November 1992, the Commission adopted resolution 1992/S-2/1, in which it condemned again all human rights violations and "ethnic cleansing" in the territory of the former Yugoslavia and called upon all States to consider whether the acts committed in Bosnia and Herzegovina and in Croatia constituted genocide. On 18 December, the General Assembly, in its resolution 47/147 referred to above, commended the Special Rapporteur for his reports and urged all States and organizations to consider implementing the recommendations contained in those reports.

In his report to the 49th session of the Commission on Human Rights, which was submitted through the Secretary-General to the General Assembly and the Security Council on 10 February 1993, the Special Rapporteur described the human rights situation in the territory of the former Yugoslavia (Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia). The Special Rapporteur stated that evidence was mounting of war crimes during the conflicts in both Croatia and in Bosnia and Herzegovina. Numerous cases had been documented of summary executions and death threats, disappearances, torture and ill-treatment of detainees and destruction of property including religious sites. Rape of women was widespread in both conflicts. There were victims among all ethnic groups and there were rapists among the armed forces of all parties. In addition, the Special Rapporteur sent a team of medical experts to the area to investigate reports of widespread occurrence of rape. According to the experts' report, the majority of the rapes that they have documented had been committed by ethnic Serb forces against Muslim women from Bosnia and Herzegovina.

On 23 February, the Commission adopted two resolutions. By resolution 1993/8, the Com-

mission condemned, *inter alia*, the abhorrent practice of rape and abuse of women and children in the territory of the former Yugoslavia which was being used as an instrument of "ethnic cleansing".

By resolution 1993/7, the Commission extended the mandate of the Special Rapporteur for one year, requesting that he continue to submit periodic reports as warranted on the implementation of all relevant resolutions of the Commission concerning the former Yugoslavia. The Commission also requested the Secretary-General, *inter alia*, to assist the Special Rapporteur by providing for the appointment of field staff in the territory of the former Yugoslavia to furnish first-hand reports on the human rights situation.

Consequently, the Special Rapporteur requested the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), Croatia and the former Yugoslav Republic of Macedonia for their consent to the establishment of field offices in each State. Positive replies were received from Croatia, and the former Yugoslav Republic of Macedonia. The Federal Republic of Yugoslavia (Serbia and Montenegro) refused permission. It agreed, however, to a fact-finding mission by two staff members of the Centre for Human Rights, which took place from 13 to 26 October 1993. It is also hoped to open a field office in Bosnia and Herzegovina as soon as the local circumstances permit. In the meantime, the Zagreb office, established in Croatia in March 1993, deals with both Croatia and Bosnia and Herzegovina.

Since the extension of his mandate in February 1993, the Special Rapporteur has issued six periodic reports based on information gathered through various sources, including a number of field trips undertaken by the Special Rapporteur's staff and his own visits to Zagreb and Sarajevo in August 1993 and missions to Zagreb, Split, Tuzla and Kisjelak in December 1993. The first two of these reports (dated 5 May 1993 and 19 May 1993) drew attention to specific situations of "ethnic cleansing" and other violations of fundamental human rights in eastern and central Bosnia. The third and fourth reports (dated 26 August 1993 and 6 September 1993) conveyed the Special Rapporteur's grave concern regarding the human rights situation in the towns of Sarajevo and Mostar. The fifth report issued on 17 November 1993 provided an assessment of the human rights situation in Croatia, Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro); it drew attention to the widespread abuse of the fundamental rights of residents in these States.

The sixth report issued on 21 February 1994 dealt with the human rights situation in all countries covered by the Special Rapporteur's mandate, i.e. Bosnia and Herzegovina, Croatia, Federal Republic of Yugoslavia (Serbia and Montenegro), Macedonia and Slovenia. The report also brought a comprehensive analysis of the situation of children. It further addressed the proposal of dealing with the problem of disappearances. The Special Rapporteur presented his main recommendations which he had put forward in his previous reports and analysed their follow-up. In the annex to that report he described the scope and character of the field operation established by the Centre for Human Rights in the former Yugoslavia in order to provide him with reliable and timely information.

In describing the situation in Bosnia and Herzegovina in his latest reports, the Special Rapporteur was concerned by such issues as "ethnic cleansing", rape, summary executions, arbitrary arrests and military attacks on civilians and aid workers. He highlighted several occurrences, including killings and rapes by men in Bosnian Serb military uniforms, the massacre by the Bosnian Croat forces of at least 15 villagers at Stupni Do in October 1993 and incidents involving Government forces. He also drew particular attention to the attacks by all sides on aid convoys. The Special Rapporteur pointed out that prolongation

of the conflict in Bosnia and Herzegovina would lead to atrocities by all sides and the persecution of peoples of every ethnic origin. While condemning every violation of international human rights and humanitarian law and fully acknowledging the suffering of all peoples, he again drew particular attention to the appalling extent of persecution against Muslims and the serious threat of extermination the Muslim community in Bosnia and Herzegovina faced.

Concerning Croatia, the Special Rapporteur pointed to arbitrary executions and "ethnic cleansing" committed by Croatian forces in the predominantly Serb Medak "pocket" on 9 September 1993. He also noted other human rights concerns, such as arbitrary detention, illegal and enforced evictions, the problematic effects of citizenship laws, the destruction of property, the situation of the media and treatment of Muslim minorities and refugees.

With regard to the Federal Republic of Yugoslavia (Serbia and Montenegro), the Special Rapporteur described the discrimination against ethnic Albanians in Kosovo, including their treatment by the police and in the courts, and linguistic and educational discrimination. Other key areas of concern were security of the person, freedom of assembly and association, freedom of expression and the media and discriminatory treatment against minorities in the Sandzak and Vojvodina areas. The Special Rapporteur also drew attention to the delays in distribution of humanitarian aid, which were exacerbated by the procedural requirements of the Sanctions Committee established by the Security Council.

On a number of occasions, following investigation by the field staff, the Special Rapporteur intervened with the authorities to draw their attention to particular instances or allegations of human rights abuses, urging them to investigate and, where necessary, to remedy the situation without delay.

When dealing with the human rights situation in the former Yugoslav Republic of Macedonia, the Special Rapporteur pointed out that the legal structure of that country had not yet been completed and the administration of justice had not been fully operational. He also noted that the situation of the mass media gave reason for concern. He pointed out that despite certain irregularities concerning the right of national minorities, these problems were being approached within the framework of the Constitution. The Special Rapporteur urged that the international community increase to an adequate level technical and financial assistance to that country with a view to fostering its overall development.

With regard to Slovenia, the Special Rapporteur pointed out that certain human rights problems still existed in connection with citizenship law and freedom of the media. Nevertheless, he once again reiterated his opinion that in Slovenia, the human rights situation was by and large satisfactory. Thus, he recommended that the Republic of Slovenia should be excluded from his mandate.

The Special Rapporteur placed very strong emphasis on the situation of children. He described the tragic fate of children in war and pointed out that many children had been placed in detention centres and several of them had been tortured there. Children had been deprived of adequate food and medicines. He pointed out the far-reaching consequences arising from disruption of education. He also described the situation of refugee and displaced children, many of whom had been abandoned or were unaccompanied.

In implementing his mandate, the Special Rapporteur has continued to cooperate with other agencies and bodies concerned with the protection of human rights and with humanitarian affairs in the former Yugoslavia such as UNHCR, ICRC, UNPROFOR and the Commission of Experts[13/] established pursuant to Security Council resolution 780 (1992).

In concluding his February 1994 report, the Special Rapporteur presented the main recommendations he had submitted during the tenure of his mandate. He pointed out that, while some of them had been implemented, he nevertheless had not been able to achieve his main objective of offering effective assistance to victims and of reducing the massive scale of violations of human rights.

GENERAL ASSEMBLY WELCOMES REPORTS

On 20 December 1993, the United Nations General Assembly adopted resolution 48/153 concerning the situation of human rights in the territory of the former Yugoslavia. By that resolution, the Assembly, *inter alia*, welcomed the reports and recommendations of the Special Rapporteur and expressed its grave concern at massive and systematic violations of human rights and humanitarian law in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro).

The Assembly urged all States, United Nations bodies, the Special Rapporteur, and international organizations to make available information in their possession relating to violations and the perpetrators of such violations of international humanitarian law to the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Law Committed in the Territory of the Former Yugoslavia since 1991, established by Security Council resolution 827 (1993), for prosecution, as appropriate, by the Chief Prosecutor.[14/]

In resolution 48/143 adopted on the same day, the General Assembly strongly condemned the "abhorent practice" of rape and abuse of women and children in the areas of armed conflict in the former Yugoslavia and demanded that those involved immediately cease those outrageous acts.

COMMISSION RESOLUTIONS

On 9 March 1994 the Commission on Human Rights adopted 4 resolutions. By its resolution 1994/75, "Situation of human rights in the Republic of Bosnia and Herzegovina", the Commission *inter alia* strongly condemned the policy of genocide and "ethnic cleansing", the indiscriminate shelling of civilian populations, the forced deportation of populations, the attacks against civilian targets, the continued detention of civilians, the use of military force against defenseless civilians, the continued practice of rape as a weapon of war and the strategy of strangulation of populations by obstructing food supplies and of other essentials of civilian populations.

By resolution 1994/76, "Situation of human rights in Kosovo", the Commission *inter alia* strongly condemned the discriminatory measures and practices as well as the violations of human rights committed by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) against ethnic Albanians in Kosovo. By resolution 1994/77, "Rape and abuse of women in the territory of the former Yugoslavia", the Commission *inter alia* condemned the abhorrent practice of rape and abuse of children in the areas of armed conflict in the former Yugoslavia, which constituted a war crime.

By its resolution 1994/72, the Commission extended the mandate of the Special Rapporteur for one year, requesting that he continue his efforts especially by carrying out all such further missions as he deemed necessary, and that he continue to submit to the Commission and the General Assembly periodic reports as appropriate on the implementation of resolution 1994/72 and other relevant human rights resolutions. The Commission requested the Secretary-General to continue to make the Special Rapporteur's report available to the Security Council and to the International Conference on the former Yugoslavia. It also requested the Secretary-General to provide the

Special Rapporteur with additional resources and all other necessary assistance to enable him to fulfil his mandate, in particular to provide him with field staff in the territory of the former Yugoslavia.

COMMISSION OF EXPERTS

On 6 October 1992, the Security Council adopted resolution 780 (1992) expressing its grave alarm at the continuing reports of widespread violations of international humanitarian law in the territory of the former Yugoslavia.

The Council requested the Secretary-General to establish an impartial Commission of Experts to examine and analyse the information submitted pursuant to resolutions 771 (1992) and 780 (1992), together with such information as the Commission may obtain through its own investigations or efforts. It would then provide the Secretary-General with its conclusions on the evidence of grave breaches of the 1949 Geneva Conventions and other violations of humanitarian law committed in the territory of the former Yugoslavia.

In a report dated 12 October 1992 to the Security Council, the Secretary-General announced his decision to establish a Commission of Experts. On 23 October, the Secretary-General informed the Council that he had appointed the following five persons as the members of the Commission: Professor Fritz Kalshoven of the Netherlands (Chairman), Professor Cherif Bassiouni of Egypt, Mr. William Fenrick of Canada, Judge Keba Mbaye of Senegal, and Professor Torkel Opsahl of Norway.[15/]

The Secretary-General established the Trust Fund to support the activities of the Commission in carrying out its mandate. The Fund is open to all voluntary financial contributions from States, intergovernmental organizations, national institutions and non-governmental organizations as well as natural and juridical persons.

The Commission commenced its work early in November 1992. In fulfilling its mandate, it has carried out four main tasks: the examination and analysis of information obtained from various sources, identification of cases warranting in-depth investigation, verification of facts and consideration of issues of law. Following its third session in Geneva on 25 and 26 January 1993, the Commission transmitted to the Secretary-General, in February, its first interim report, together with a number of ancillary documents, including a report of a preliminary site exploration of a mass grave in Ovcara, near Vukovar, in the United Nations Protected Area Sector East in Croatia. The report provided an overview of the Commission's work, its preliminary conclusions on the evidence examined, its view on certain legal issues, and described a plan of work for the next stage of its activities. The Commission reported that it had received several thousand pages of documentation as well as video information on allegations of grave breaches of the Geneva Conventions and international humanitarian law, and that a database was being designed to provide a comprehensive, consistent and manageable record of all reported crimes.

The Commission also outlined its short-term objectives: to conduct further investigations into mass killings and destruction of property in the Vukovar area; to conduct an on-site investigation into the treatment of prisoners and detainees at two or more camps or detention centres at places in Bosnia and Herzegovina yet to be specified; to study all available reports on systematic sexual assaults and those on "ethnic cleansing" and determine the most effective way to approach the problems and whether to undertake on-site investigations.

From 18 to 29 April 1993, a delegation of the Commission visited Belgrade (Federal Republic of Yugoslavia), Ljubljana (Slovenia), Sarajevo (Bosnia and Herzegovina) and Zagreb (Croatia),

and conducted talks with senior officials in those capitals in order to obtain the cooperation of those involved with war crime documentation or investigation in the respective countries. The authorities in Zagreb, Belgrade and Sarajevo assured the delegation of their support for the Commission's plan of work and promised their cooperation in the implementation of specific projects of the Commission in the territories under their control. Similar promises of cooperation were obtained from the self-proclaimed Serb administration in Knin, Croatia.

Subsequent Commission activities have been of two basic types: (a) collecting, evaluating and analysing information with the help of the database and (b) sending investigative missions to the former Yugoslavia to collect and verify the information, to investigate specific incidents as well as to obtain testimonies, to interview victims and witnesses and to hear alleged perpetrators.

In May 1993, the Security Council, in its resolution 827 (1993), encouraged the Commission to continue its activities on an urgent basis, pending the appointment of the Prosecutor of the International Tribunal established to prosecute persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia.

On 6 September 1993, the Commission submitted its second interim report, covering the period from February to August 1993, on its work and its projected future programme. The Commission reported further progress in gathering, processing and analysing massive information on mass killings and destruction of property, treatment of prisoners and detainees, systematic sexual assaults and "ethnic cleansing". The Commission had sent several investigative missions to the territory of the former Yugoslavia to collect and verify information on those issues.

The Commission continued its work in close cooperation with the Acting Deputy-Prosecutor of the International Tribunal, the Commission on Human Rights and its Special Rapporteur, the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, UNPROFOR, UNHCR, ICRC and the European Community Monitoring Mission (ECCM), as well as with a number of non-governmental organizations concerned with the situation in the former Yugoslavia.

Following the appointment of an Acting Deputy-Prosecutor for the International Tribunal, the Secretary-General, in consultation with the Security Council, decided that the Commission should conclude its work on 30 April 1994, and transfer all information collected to the Prosecutor's Office. On 16 February 1994, the Commission, at its eleven session held in Geneva, approved an outline of its final report, which it planned to submit to the Secretary-General at the end of April 1994. Before that date, it intended also to finalize the arrangements for the transfer of information in its possession to the International Tribunal.

The Commission is serviced by three Professional staff provided by the United Nations Office of Legal Affairs and two secretaries. In addition to the secretariat staff funded from the regular United Nations budget, a number of legal, military, police, medical and other specialists provided by Governments or NGOs have been assisting the Commission in its work. About 30 assistants work on the database.

INTERNATIONAL TRIBUNAL

On 22 February 1993, the Security Council adopted its resolution 808 (1993), by which it decided that an international tribunal should be established for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991. It requested the Secretary-General to submit for consideration by the

Council at the earliest possible date a report on all aspects of this matter.

In adopting resolution 808 (1993), the Security Council took into account the February 1993 interim report of the Commission of Experts, in which the Commission had observed that a decision to establish such an ad hoc tribunal would be consistent with the direction of its work. The Council noted the recommendation by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia for the establishment of such a tribunal. It also took note of the "Report of the European Community investigative mission into the treatment of Muslim women in the former Yugoslavia", as well as the report of jurists submitted by France, the report of the commission of jurists submitted by Italy, and the report transmitted by the Permanent Representative of Sweden on behalf of the Chairman-in-Office of CSCE.

On 3 May 1993, the Secretary-General submitted to the Council a detailed report covering such issues as the legal basis for the establishment of the International Tribunal, its competence and organization, investigation and pre-trial proceedings, trial and post-trial proceedings, cooperation and judicial assistance, and general provisions. The Statute of the Tribunal was annexed.

In the report, the Secretary-General stated that such a Tribunal should be established under Chapter VII of the United Nations Charter as a subsidiary organ of the Security Council. It should perform its functions independently of political considerations and not be subject to the authority or control of the Council with regard to the performance of its judicial functions. Its life span should be linked to the restoration and maintenance of international peace and security in the territory of the former Yugoslavia. The seat of the Tribunal should be at The Hague, Netherlands.

The Secretary-General proposed that the Tribunal should consist of three organs: two Trial Chambers and an Appeals Chamber; the Prosecutor; and a Registry, servicing both the Chambers and the Prosecutor. The Chambers would be composed of a total of 11 judges — three in each Trial Chamber and five in the Appeals Chamber. Judges should be elected for a four-year term by the United Nations General Assembly from a list of nominees put forward by Member States and short-listed by the Security Council to a number no less than 22 and no more than 33.

On 25 May, the Security Council, by its resolution 827 (1993), approved the Secretary-General's report and decided to establish an International Tribunal "for the sole purpose of prosecuting persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia between 1 January 1991 and a date to be determined by the Security Council upon the restoration of peace ...". The Council also adopted the Statute of the Tribunal and decided that all States must cooperate fully with the Tribunal and take any measures necessary under their domestic law to implement its Statute. The Secretary-General was requested to urgently make practical arrangements for the effective functioning of the Tribunal.

Following adoption of resolution 827 (1993), the Secretary-General invited Member States to nominate, within 60 days, up to two candidates to serve as judges on the Tribunal. The nominations received were forwarded to the President of the Security Council. On 20 August, the Council adopted its resolution 857 (1993), by which it established a list of 23 candidates, each from a different country and representing all major legal systems, to be presented to the General Assembly.

In accordance with the Statute of the Tribunal, 11 judges were elected by the General Assembly on 17 September 1993 for a four-year term. They would be eligible for re-election. Their terms and conditions of service would correspond to those of the judges of the International Court of Justice.[16/]

The elected judges were: Mr. Georges Michel Abi-Saab (Egypt), Mr. Antonio Cassese (Italy), Mr. Jules Deschenes (Canada), Mr. Adolphus Godwin Karibi-Whyte (Nigeria), Mr. Germain Le Foyer de Costil (France)[17], Mr. Haopei Li (China), Ms. Gabrielle Kirk McDonald (United States), Ms. Elizabeth Odio Benito (Costa Rica), Mr. Rustam S. Sidhwa (Pakistan), Sir Ninian Stephen (Australia), Mr. Lal Chand Vohrah (Malaysia).

On 21 October, the Security Council, by its resolution 877 (1993), appointed Mr. Ramón Escovar-Salom, Attorney General of Venezuela, as Prosecutor, thus completing the process of forming the International Tribunal.

The International Tribunal was inaugurated on 17 November 1993 at the Peace Palace in The Hague. During the first session, which lasted until 30 November, the Tribunal elected its President (Mr. Antonio Cassese of Italy) and a Vice-President (Ms. Elizabeth Odio Benito of Costa Rica), determined the membership of the Chambers and undertook a preliminary consideration of the Rules of Procedure and Evidence and discussed further working arrangements.

On 21 January 1994, the Secretary-General appointed Mr. Theodoor C. van Boven of the Netherlands as the Acting Registrar of the Tribunal.

The second session of the Tribunal was held from 17 January to 11 February 1994. At that session, the Tribunal prepared and approved the Rules of Procedure and Evidence of the Tribunal. The Rules cover all aspects of the functioning of the Tribunal, from its internal organization and administration to the conduct of pre-trial investigations, indictment of suspects and trial procedures, including appellate and review procedures. They reiterate the obligation of States to cooperate with the Tribunal and to take all necessary measures to comply with its requests for assistance, in conformity with the principle of the primacy of the Tribunal. The Tribunal decided to hold its next plenary meetings from 25 April to 13 May and from 18 to 28 July 1994.

During the second session of the Tribunal, the Prosecutor-designate, Mr Ramón Escovar-Salom announced his intention not to take up office as the Prosecutor of the Tribunal, in order to assume a high governmental position in his own country. On 8 February, the Secretary-General appointed Mr. Graham Blewitt of Australia as the Acting Deputy-Prosecutor.

As to the financing of the work of the International Tribunal, the Secretary-General, in a report to the Security Council on 19 May 1993, estimated that the operating costs of the Tribunal for the first full year of operation would be approximately $31.2 million. He stressed that those were preliminary estimates and that further review and revision of basic assumptions would be necessary.

On 14 September 1993, the General Assembly adopted resolution 47/235 in which it requested the Secretary-General to present, during the forty-eighth session of the General Assembly and before 31 December 1993, detailed cost estimates for the International Tribunal, separate from the proposed regular budget of the United Nations for the biennium 1994-1995, to be financed by assessed contributions from Member States and, pending a final decision on the apportionment of the expenses of the Tribunal, to finance its activities through a separate account outside the regular budget. In addition, the Assembly invited Member States and other interested parties to make voluntary contributions to the International Tribunal both in cash and in the form of services and supplies acceptable to the Secretary-General. A trust fund for that purpose has been established by the Secretary-General.

The Secretary-General submitted his detailed report on 8 December 1993. Following the reassessment of the operations of the Tribunal, he estimated that $33.2 million would be required in the biennium 1994-1995. Core staffing for the

Tribunal would need 108 posts. The Secretary-General believed that the Tribunal, in view of the nature of its activities, should be financed through assessed contributions, albeit supplemented by voluntary contributions as available. This would be consistent with the position taken by the General Assembly in its resolution 47/235.

On 23 December 1993, the General Assembly adopted resolution 48/461 authorizing the Secretary-General to enter into commitments not exceeding $5.6 million for the first six months of 1994, pending a final decision by the General Assembly on the mode of financing the Tribunal.

On 11 March 1994 the Secretary-General submitted to the United Nations Advisory Committee on Administrative and Budgetary Questions (ACABQ) revised estimates on the financing of the International Tribunal. The requirements of the International Tribunal for the biennium 1994-1995 were estimated at approximately $32.7 million. Upon recommendation of the ACABQ, the General Assembly adopted on 14 April 1994 resolution 48/251 in which it authorized the Secretary-General to enter into commitments for the International Tribunal in an amount not to exceed 11 million dollars, including the amount of 5.6 million dollars it authorized in its resolution 48/461 of 23 December 1994, for the period from 1 January to 31 December 1994. It also authorized the Secretary-General to make the necessary arrangements, including the signing of the lease agreement for the premises of the International Tribunal, to ensure that it is provided with adequate facilities and necessary staff resources and to report to the General Assembly through the budget performance report.

DECISIONS BY THE INTERNATIONAL COURT OF JUSTICE

On 8 April 1993, the International Court of Justice issued an Order of provisional measures, in which it called upon the Federal Republic of Yugoslavia (Serbia and Montenegro) to "immediately...take all measures within its power to prevent commission of the crime of genocide". The Court stated that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) "should in particular ensure that any military, paramilitary or irregular armed units which may be directed or supported by it, as well as any organizations and persons which may be subject to its control, direction or influence, do not commit any acts of genocide, of conspiracy to commit genocide, of direct and public incitement to commit genocide, or of complicity in genocide, whether directed against the Muslim population of Bosnia and Herzegovina or against any other national, ethnical, racial or religious group".

The Court also held that neither party should aggravate or extend the existing dispute over the prevention or punishment of the crime of genocide, or render it more difficult of solution.

The Court issued these provisional measures in response to a suit initiated by the Government of Bosnia and Herzegovinc on 20 March 1993. The Court found that it had prima facie jurisdiction to issue its Order under the Convention on the Prevention and Punishment of the Crime of Genocide concluded by the United Nations in 1948, to which the Federal Republic of Yugoslavia (Serbia and Montenegro) and Bosnia and Herzegovina are parties. The Convention describes as genocide acts "committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group".

While the Court acted speedily to issue its provisional measures, a judgment on the merits of the case would be handed down only after the parties fully brief and argue it. The Court's Order emphasized that the facts and law of the dispute meanwhile remain unsettled. Under its Statute, the Court has the power to indicate provisional measures for preserving the rights of either party,

pending judgment on the merits of the case. The Court noted that it was not able to indicate measures for the protection of any disputed rights which fall outside the scope of the Genocide Convention.

On 29 July 1993, Bosnia and Herzegovina filed a second request with the International Court of Justice calling for provisional measures against the Federal Republic of Yugoslavia (Serbia and Montenegro) to prevent commission of the crime of genocide. The request stated that additional measures were necessary because the Federal Republic of Yugoslavia (Serbia and Montenegro) had violated all of the protective measures indicated by the Court in its Order of 8 April.

On 10 August 1993, the Federal Republic of Yugoslavia (Serbia and Montenegro), alleging genocide against the Serb people in Bosnia and Herzegovina by the authorities of that country, requested the International Court of Justice to indicate, as a provisional measure, that the Government of the "so-called Republic of Bosnia and Herzegovina" immediately take all measures within its power to prevent the commission of the crime of genocide against the Serb ethnic group.

On 13 September 1993, the Court issued an interim Order of provisional measures calling upon the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to immediately take all measures within its power to prevent commission of the crime of genocide. In effect, the Court reaffirmed its earlier Order on the subject. It stated that "the present perilous situation demands not an indication of provisional measures additional to those indicated by the Court's Order of 8 April 1993, but immediate and effective implementation of those measures".

The Court declined to adopt the more far-reaching injunctions requested by Bosnia and Herzegovina — including measures to interdict plans to partition Bosnian territory, to declare annexation of Bosnian territory to be illegal, and to hold that Bosnia must have the means to prevent acts of genocide and partition by obtaining military supplies — because, the Court pointed out, it could order interim measures only within the scope of the jurisdiction conferred on it by the anti-Genocide Convention. The Court was not entitled to deal with broader claims.

The Court also declined to order an injunction sought by the Federal Republic of Yugoslavia (Serbia and Montenegro) requiring Bosnia and Herzegovina to take all measures within its power to prevent commission of the crime of genocide against the Serbs in Bosnia.

The Court declared that it was "not satisfied that all that might have been done has been done" to prevent genocide in Bosnia, and reminded the parties to the case that they were obliged to take the Court's provisional measure "seriously into account".

IV. MEMBERSHIP IN THE UNITED NATIONS

The former Socialist Federal Republic of Yugoslavia was an original Member of the United Nations. On 22 May 1992, following the Security Council's recommendations, the General Assembly, by its resolutions 46/236, 46/237 and 46/238, decided to admit the Republic of Slovenia, the Republic of Bosnia and Herzegovina, and the Republic of Croatia — three former Yugoslav Republics — to membership in the United Nations.

On 19 September 1992, the Security Council, by its resolution 777 (1992), considered that

the Federal Republic of Yugoslavia (Serbia and Montenegro) could not continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations. The Council recommended to the General Assembly that it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and that it should not participate in the work of the General Assembly. The Council also decided to consider the matter again before the end of the main part of the forty-seventh session of the General Assembly. On 22 September, the General Assembly, by its resolution 47/1, agreed with the Council's recommendation. On 29 April 1993, the General Assembly, on the recommendation by the Security Council (resolution 821 (1993) of 28 April), further decided that the Federal Republic of Yugoslavia (Serbia and Montenegro) should not participate in the work of the Economic and Social Council.

As to "the former Yugoslav Republic of Macedonia", the Security Council, on 7 April 1993, recommended that the General Assembly admit that State to United Nations membership. In adopting its resolution 817 (1993), the Council, after having noted that the difference which had arisen over the name of that State needed to be resolved in the interests of maintaining peaceful relations in the region, welcomed the readiness of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia to use their good offices to settle the matter and promote confidence-building measures among the parties. On 8 April, the General Assembly decided to admit to membership in the United Nations the "State being provisionally referred to for all purposes within the United Nations as 'the former Yugoslav Republic of Macedonia' pending settlement of the difference that has arisen over the name of the State".

On 8 July 1993, the Secretary-General appointed Mr. Cyrus Vance to carry out his good offices in the difference between the former Yugoslav Republic of Macedonia and Greece. The appointment was made in accordance with Security Council resolution 845 (1993), which called on the Secretary-General to continue his efforts for a speedy settlement of the remaining issues between the two parties. Despite several rounds of talks, however, a settlement has not yet been achieved on the remaining issues.

NOTES

1/ A term which, for the purposes of this publication, is used to signify the former Socialist Federal Republic of Yugoslavia and its Republics.

2/ A term which, throughout this publication, refers to the former Yugoslav Republic of Macedonia.

3/ Since August 1992, the International Conference on the Former Yugoslavia has provided a permanent negotiating forum for seeking a political solution to all the problems of the former Yugoslavia. The Conference has a Steering Committee, now co-chaired by Lord Owen, representing the European Union, and Mr. Thorvald Stoltenberg, who in May 1993 replaced Secretary-General's Personal Envoy, Mr. Cyrus Vance, and who also served, until December 1993, as the Secretary-General's Special Representative for the former Yugoslavia.

4/ Since early December 1993, UNPROFOR had faced Bosnian Serb opposition to the replacement of Canadian troops in Srebrenica and of Ukrainian troops in Zepa by elements of the incoming Netherlands battalion. As regards Tuzla, UNPROFOR had been engaged in efforts to open the airport for the delivery of humanitarian assistance to the Tuzla safe area.

5/ Mr. Yasushi Akashi (Japan), who had served as the Secretary-General's Special Representative for Cambodia, succeeded on 3 January 1994 Mr. Thorvald Stoltenberg (Norway) as the Special Representative of the Secretary-General

for the former Yugoslavia and Chief of Mission of UNPROFOR. Mr. Stoltenberg continues his duties as Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia.

6/ Following initial investigation of the incident, a team was established by UNPROFOR to conduct a comprehensive follow-up investigation. The team also reported the lack of physical evidence to determine which side — the forces of the Bosnian Government or the Bosnian Serbs — had fired the mortar bomb on 5 February 1993.

7/ In paragraph 9 of resolution 836 (1993), the Security Council authorized UNPROFOR, "... acting in self-defence, to take the necessary measures, including the use of force, in reply to bombardments against the safe areas by any of the parties ...". In paragraph 10 of the same resolution, the Council decided that "... Member States, acting nationally or through regional organizations or arrangements, may take, under the authority of the Security Council and subject to close coordination with the Secretary-General and UNPROFOR, all necessary measures, through the use of air power, in and around the safe areas in the Republic of Bosnia and Herzegovina, to support UNPROFOR in the performance of its mandate ...".

8/ The city of Pale, to the east of Sarajevo, is the headquarters of the Bosnian Serbs.

9/ On 1 April 1993, Mr. Cyrus Vance announced that he would resign as the Secretary-General's Personal Envoy and Co-Chairman of the Steering Committee. On 2 April, the Secretary-General appointed Mr. Thorvald Stoltenberg, Foreign Minister of Norway, to succeed Mr. Vance as his Special Representative for the former Yugoslavia, Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia and Chief of Mission of UNPROFOR, effective 1 May 1993.

10/ For more information on the activities of each of the Working Groups, please see the report of the Secretary-General on the International Conference on the Former Yugoslavia dated 30 March 1993 and the report by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia dated 24 January 1994.

11/ By resolution 47/121, the General Assembly, among other things, urged the Security Council to exempt the Republic of Bosnia and Herzegovina from the arms embargo as imposed on the former Yugoslavia under Security Council resolution 713 (1991) of 25 September 1991. On 29 June 1993, the Security Council failed to adopt (by a vote of 6 in favour, 0 against and 9 abstentions) a draft resolution, by which it would have decided to exempt the Government of the Republic of Bosnia and Herzegovina from the arms embargo with the sole purpose of enabling that Republic to exercise its inherent right of self-defence. At its 48th session, the General Assembly, in its resolution 48/88 adopted on 20 December 1993, reaffirmed that, as the Republic of Bosnia and Herzegovina was a sovereign, independent State and a Member of the United Nations, it was entitled to all rights provided for in the Charter of the United Nations, including the right to self-defence, and again urged the Security Council to give all due consideration to exempt Bosnia and Herzegovina from the arms embargo.

12/ The Commission on Human Rights was established in 1946 as the principal United Nations body entrusted with the world-wide promotion and protection of human rights. It meets every year for six weeks.

13/ For more information on the Commission of Experts, see page 44.

14/ For more information on the International Tribunal, see page 45.

15/ Following the resignation for health reasons of Professor Kalshoven and the untimely death of Professor Opsahl in September 1993, the Secretary-General appointed Professor Christine Cleiren (Netherlands) and Judge Hanne Sophie Greve (Norway) as members of the Commission. Professor Bassiouni was appointed as the new Chairman of the Commission.

16/ The International Court of Justice, a 15-member body, is the principal judicial organ of the United Nations.

17/ After the resignation of Mr. Germain Le Foyer de Costil on 1 January 1994, the Secretary-General, following consultations with the Presidents of the Security Council and the General Assembly, appointed Mr. Claude Jorda (France) as Judge of the International Tribunal.

RESOLUTIONS OF THE SECURITY COUNCIL AND STATEMENTS BY ITS PRESIDENT

(25 September 1991 - 15 March 1994)

SECURITY COUNCIL

Under the United Nations Charter, the Security Council has the primary responsibility for the maintenance of international peace and security. All United Nations Member States have agreed to accept and carry out the Council's decisions in accordance with the Charter. The Council is composed of 15 members. Five are permanent: China, France, the Russian Federation,* the United Kingdom of Great Britain and Northern Ireland and the United States of America. The 10 non-permanent members are elected by the General Assembly to serve two-year terms. In 1992, the non-permanent members of the Council were Austria, Belgium, Cape Verde, Ecuador, Hungary, India, Japan, Morocco, Venezuela and Zimbabwe. In 1993, the non-permanent members of the Council were Brazil, Cape Verde, Djibouti, Hungary, Japan, Morocco, New Zealand, Pakistan, Spain and Venezuela. In 1994, the non-permanent members of the Council are Argentina, Brazil, Czech Republic, Djibouti, New Zealand, Nigeria, Oman, Pakistan, Rwanda and Spain.

Each member of the Security Council has one vote. Decisions on substantive matters require nine affirmative votes including the concurring votes of all five permanent members. The permanent members may abstain or not participate at all in the voting, and still satisfy the stipulation of their concurrence in the affirmative vote. A negative vote by any permanent member means the rejection of the draft resolution or proposal.

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Between 25 September 1991 and 15 March 1994, the Council adopted 55 resolutions and 50 statements were issued by the President of the Council, including 10 statements to the press, directly relating to the situation in the former Yugoslavia. A short summary and the full text of those resolutions and statements is reproduced on the following pages.

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* The Union of Soviet Socialist Republics was an original Member of the United Nations from 24 October 1945. In a letter dated 24 December 1991, the President of the Russian Federation informed the Secretary-General that the membership of the Union of Soviet Socialist Republics in the United Nations, including the Security Council and all other organs and organizations of the United Nations system, was being continued by the Russian Federation with the support of the countries of the Commonwealth of Independent States.

RESOLUTIONS AND STATEMENTS: SUMMARY

RESOLUTION 713 (1991)
25 September 1991

The Council fully supports the collective efforts for peace and dialogue in Yugoslavia, and decides that all States immediately implement a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia.

RESOLUTION 721 (1991)
27 November 1991

The Council approves the efforts towards the possible establishment of a United Nations peace-keeping operation in Yugoslavia, and urges the Yugoslav parties to comply fully with the agreement signed in Geneva on 23 November 1991.

RESOLUTION 724 (1991)
15 December 1991

The Council endorses the Secretary-General's offer to send to Yugoslavia a small group of personnel to prepare for possible deployment of a peace-keeping operation, and decides to establish a Committee to ensure that the general and complete embargo imposed by resolution 713 is effectively applied.

STATEMENT BY THE PRESIDENT
7 January 1992 (S/23389)

The Council condemns an attack by a Yugoslav aircraft on unarmed helicopters of the European Community Monitoring Mission, killing five members of the Mission.

RESOLUTION 727 (1992)
8 January 1992

The Council welcomes the signing of an Implementing Accord at Sarajevo on 2 January 1992, and endorses the Secretary-General's intention to send to Yugoslavia a group of up to 50 military liaison officers to promote maintenance of the cease-fire.

RESOLUTION 740 (1992)
7 February 1992

The Council reaffirms its approval of the United Nations peace-keeping plan, approves the Secretary-General's proposal to increase the authorized strength of the military liaison mission, welcomes the continuing efforts to remove the remaining obstacle in the deployment of a peace-keeping operation, and calls upon all States to cooperate with the Committee established by resolution 724.

RESOLUTION 743 (1992)
21 February 1992

The Council decides to establish a United Nations Protection Force (UNPROFOR), requests the Secretary-General to immediately deploy those elements of the Force which can assist in developing an implementation plan for the earliest possible full deployment of UNPROFOR, and decides that the embargo imposed by paragraph 6 of resolution 713 shall not apply to weapons and military equipment destined for the sole use of UNPROFOR.

RESOLUTION 749 (1992)
7 April 1992

The Council decides to authorize the earliest possible full deployment of UNPROFOR, and appeals to all parties and others concerned in Bosnia and Herzegovina to cooperate with the efforts of the European Community to bring about a cease-fire and negotiated political solution.

STATEMENT BY THE PRESIDENT
10 April 1992 (S/23802)

The Council reiterates its appeal in resolution 749 to all parties in Bosnia and Herzegovina to stop the fighting immediately, and invites the Secretary-General to urgently dispatch his Personal Envoy to the area.

STATEMENT BY THE PRESIDENT
24 April 1992 (S/23842)

The Council demands that all forms of interference from outside Bosnia and Herzegovina cease immediately, and condemns all breaches of the cease-fire from whatever quarter.

RESOLUTION 752 (1992)
15 May 1992

The Council demands that all parties concerned in Bosnia and Herzegovina stop the fighting immediately, that all forms of interference from outside, as well as any attempts to change the ethnic composition of the population, cease immediately and that those units of the Yugoslav People's Army and elements of the Croatian Army either be withdrawn, or be subject to the authority of the Government of Bosnia and Herzegovina, or be disbanded and disarmed with their weapons placed under effective international inventory.

RESOLUTION 753 (1992)
18 May 1992

The Council recommends to the General Assembly that the Republic of Croatia be admitted to membership in the United Nations.

STATEMENT BY THE PRESIDENT
18 May 1992 (S/23945)

The Council extends congratulations to the Republic of Croatia on the occasion of the Council's recommendation to the General Assembly that the Republic be admitted to membership in the United Nations.

RESOLUTION 754 (1992)
18 May 1992

The Council recommends to the General Assembly that the Republic of Slovenia be admitted to membership in the United Nations.

STATEMENT BY THE PRESIDENT
18 May 1992 (S/23946)

The Council extends congratulations to the Republic of Slovenia on the occasion of the Council's recommendation to the General Assembly that the Republic be admitted to membership in the United Nations.

RESOLUTION 755 (1992)
20 May 1992

The Council recommends to the General Assembly that the Republic of Bosnia and Herzegovina be admitted to membership in the United Nations.

STATEMENT BY THE PRESIDENT
20 May 1992 (S/23982)

The Council extends congratulations to the Republic of Bosnia and Herzegovina on the occasion of the Council's recommendation to the General Assembly that the Republic be admitted to membership in the United Nations.

RESOLUTION 757 (1992)
30 May 1992

The Council condemns the failure of the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) to take effective measures to fulfil the requirements of resolution 752, and decides to impose comprehensive mandatory sanctions against that country.

RESOLUTION 758 (1992)
8 June 1992

The Council notes the agreement of all parties to the reopening of Sarajevo airport for humanitarian purposes under the exclusive authority of the United Nations, decides to enlarge the mandate and strength of UNPROFOR, strongly condemns all those parties and others concerned that are responsible for

violations of the cease-fire, and demands that all parties and others concerned create immediately the necessary conditions for unimpeded delivery of humanitarian supplies to Sarajevo and other destinations in Bosnia and Herzegovina.

RESOLUTION 760 (1992)
18 June 1992

The Council, acting under Chapter VII of the Charter of the United Nations, decides that certain prohibitions contained in resolution 757 shall not apply, with the approval of the Committee established by resolution 724 under the simplified and accelerated "no objection" procedure, to commodities and products for essential humanitarian need.

RESOLUTION 761 (1992)
29 June 1992

The Council authorizes the Secretary-General to deploy immediately additional elements of UNPROFOR to ensure the security and functioning of Sarajevo airport and the delivery of humanitarian assistance, and calls upon all States to contribute to the international humanitarian efforts in Sarajevo and its environs.

RESOLUTION 762 (1992)
30 June 1992

The Council recommends the establishment of the Joint Commission under the chairmanship of UNPROFOR, and authorizes the strengthening of the Force to perform additional functions in certain areas ("pink zones") in Croatia.

RESOLUTION 764 (1992)
13 July 1992

The Council authorizes the Secretary-General to deploy immediately further additional elements of UNPROFOR to ensure the security and functioning of Sarajevo airport and the delivery of humanitarian assistance, and reaffirms that all parties are bound to comply with the obligations under international humanitarian law.

STATEMENT BY THE PRESIDENT
17 July 1992 (S/24307)

The Council welcomes the agreement between the parties in Bosnia and Herzegovina, signed that day at London, and decides in principle to respond positively to the request that UNPROFOR supervise all heavy weapons in accordance with this agreement.

STATEMENT BY THE PRESIDENT
24 July 1992 (S/24346)

The Council concurs with the Secretary-General's view that conditions do not yet exist for the United Nations to supervise the heavy weapons in Bosnia and Herzegovina as envisaged in the London

agreement, and invites the Secretary-General to contact all Member States to ask them to make urgently available information about the personnel, equipment and logistic support which they will be able to contribute to the supervision of heavy weapons in Bosnia and Herzegovina.

STATEMENT BY THE PRESIDENT
4 August 1992 (S/24378)

The Council condemns violations of international humanitarian law in the territory of the former Yugoslavia and especially in Bosnia and Herzegovina; demands that relevant international organizations, and in particular the International Committee of the Red Cross (ICRC), be granted immediate, unimpeded and continued access to camps, prisons and detention centres; and calls upon States, international organizations and non-governmental organizations to make immediately available any information they might possess regarding these camps and access to them.

STATEMENT BY THE PRESIDENT (to the press)
4 August 1992 (S/24379)

The Members of the Council condemn the attack on UNPROFOR positions in Sarajevo resulting in loss of life and injuries among the Ukrainian servicemen, express their condolences to the family of the officer killed and to the Government of Ukraine, and express their condolences to the families of the two French officers of UNPROFOR killed in Croatia and to the Government of France.

RESOLUTION 769 (1992)
7 August 1992

The Council authorizes the enlargement of UNPROFOR's mandate and strength to enable it to perform immigration and customs functions on the international borders in Croatia, and resolutely condemns the abuses committed against the civilian population, particularly on ethnic grounds.

RESOLUTION 770 (1992)
13 August 1992

The Council calls upon States to "take nationally or through regional agencies or arrangements all measures necessary" to facilitate the delivery of humanitarian assistance to Sarajevo and wherever needed in other parts of Bosnia and Herzegovina.

RESOLUTION 771 (1992)
13 August 1992

The Council strongly condemns any violations of international humanitarian law, including those involved in the practice of "ethnic cleansing", demands that relevant international humanitarian organizations, and in particular the ICRC, be granted immediate, unimpeded and continued access to camps, prisons and detention centres within the territory of the former Yugoslavia, and calls upon States and, as appropriate, international humanitarian organizations, to collate substantial information in their possession or submitted to them relating to the violations of humanitarian law committed in the former Yugoslavia and to make this

information available to the Council. The Council decides, acting under Chapter VII of the Charter of the United Nations, that all parties and others concerned in the former Yugoslavia, and all military forces in Bosnia and Herzegovina, shall comply with the provisions of the present resolution.

STATEMENT BY THE PRESIDENT
2 September 1992 (S/24510)

The Council expresses its full support for the Statement of Principles adopted, and other agreements reached, at the London Conference, held on 26 and 27 August 1992.

STATEMENT BY THE PRESIDENT
9 September 1992 (S/24539)

The Council invites the Secretary-General to inform it on the findings of the inquiry into the circumstances of the attack which cost the lives of two French soldiers of UNPROFOR near Sarajevo, as well as other similar incidents.

RESOLUTION 776 (1992)
14 September 1992

The Council authorizes the enlargement of UNPROFOR'S mandate and strength in Bosnia and Herzegovina to provide protection to UNHCR-organized humanitarian convoys, as well as to convoys of released detainees if requested by the ICRC.

RESOLUTION 777 (1992)
19 September 1992

The Council considers that the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations, and recommends to the General Assembly that it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and that it shall not participate in the work of the General Assembly.

RESOLUTION 779 (1992)
6 October 1992

The Council authorizes UNPROFOR to assume responsibility for monitoring the arrangements agreed for the complete withdrawal of the Yugoslav Army from Croatia, the demilitarization of the Prevlaka peninsula and the removal of heavy weapons from neighbouring areas of Croatia and Montenegro.

RESOLUTION 780 (1992)
6 October 1992

The Council requests the Secretary-General to establish an impartial Commission of Experts with a view to providing him with its conclusions on the evidence of grave breaches of the Geneva Conventions and other violations of humanitarian law committed in the territory of the former Yugoslavia.

RESOLUTION 781 (1992)
9 October 1992

The Council decides to establish a ban on military flights in the airspace of Bosnia and Herzegovina, and undertakes to examine without delay all the information brought to its attention concerning the implementation of the ban and, in the case of violations, to consider urgently the further measures necessary to enforce it.

STATEMENT BY THE PRESIDENT
20 October 1992 (S/24744)

The Council strongly condemns attacks on civilians in the Republic of Bosnia and Herzegovina, which constitute grave violations of international humanitarian law, and reaffirms that persons who commit or order the commission of grave breaches of the Geneva Conventions are individually responsible in respect of such breaches. The Council expresses its wish that such violations be brought to the attention of the Commission of Experts mentioned in resolution 780.

RESOLUTION 786 (1992)
10 November 1992

The Council reaffirms its ban on military flights in the airspace of Bosnia and Herzegovina, endorses the general concept of operations described in the Secretary-General's report (S/24767 and Add.1), and approves his recommendation that the strength of UNPROFOR be increased to enable it to implement the concept of operations.

RESOLUTION 787 (1992)
16 November 1992

The Council, acting under Chapter VII of the Charter, decides to prohibit the transshipment through the Federal Republic of Yugoslavia (Serbia and Montenegro) of certain products unless such transshipment is specifically authorized, and that any vessel in which a majority or controlling interest is held by a person or undertaking in or operating from the Federal Republic of Yugoslavia (Serbia and Montenegro) shall be considered a vessel of the Federal Republic of Yugoslavia (Serbia and Montenegro) regardless of the flag under which the vessel sails. The Council calls upon States, acting nationally or through regional agencies or arrangements, to use such measures as may be necessary to halt all inward and outward maritime shipping in order to inspect and verify their cargoes and destinations and to ensure strict implementation of the provisions of resolutions 713 (1991) and 757 (1992).

STATEMENT BY THE PRESIDENT (to the press)
2 December 1992 (S/24884)

The Council expresses deep concern about and outrage at the increasing number of attacks against United Nations personnel serving in various peace-keeping operations, including UNAVEM II, UNTAC and UNPROFOR. The Council condemns these attacks and demands that all parties concerned take all necessary measures to prevent their recurrence. It considers the abduction and detention of United Nations

peace-keeping personnel as totally unacceptable and demands the immediate and unconditional release of the UNTAC and UNPROFOR personnel concerned.

STATEMENT BY THE PRESIDENT
9 December 1992 (S/24932)

The Council strongly condemns the renewed offensive by Serb militia in Bosnia and Herzegovina, and in particular against the city of Sarajevo, and demands the immediate cessation of these attacks and of all actions impeding the distribution of humanitarian assistance and forcing the inhabitants of Sarajevo to leave the city.

RESOLUTION 795 (1992)
11 December 1992

The Council authorizes the Secretary-General to establish a presence of UNPROFOR in the former Yugoslav Republic of Macedonia; requests him to deploy immediately the military, civil affairs, and administrative personnel; and also requests him to deploy the police monitors immediately upon receiving the consent of the Government in the former Yugoslav Republic of Macedonia.

RESOLUTION 798 (1992)
18 December 1992

The Council, appalled by reports of the massive, organized and systematic detention and rape of women, in particular Muslim women, in Bosnia and Herzegovina, strongly condemns these acts of "unspeakable brutality" and requests the Secretary-General to provide such necessary means of support as are available to him in the area to facilitate the European Community's investigative mission to have free and secure access to the places of detention.

STATEMENT BY THE PRESIDENT
8 January 1993 (S/25079)

The Council strongly condemns the killing by Bosnian Serb forces of Mr. Hakija Turajlic, Deputy Prime Minister for Economic Affairs of the Republic of Bosnia and Herzegovina, while he was under the protection of UNPROFOR, and requests the Secretary-General to conduct a full investigation of the incident and to report to it without delay.

STATEMENT BY THE PRESIDENT
8 January 1993 (S/25080)

The Council fully supports the efforts of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, and fully endorses the view of the Secretary-General that all the parties involved in the conflict in the Republic of Bosnia and Herzegovina are duty-bound to cooperate with the Co-Chairmen in bringing this conflict to a swift end.

RESOLUTION 802 (1993)

25 January 1993

The Council demands the immediate cessation of hostile activities by Croatian armed forces within or adjacent to the UNPAs and their withdrawal from these areas, strongly condemns the attacks by these forces against UNPROFOR and demands their immediate cessation. It also demands that the heavy weapons seized from the UNPROFOR-controlled storage areas be returned immediately, and that all parties and others concerned comply strictly with the cease-fire arrangements already agreed and cooperate fully and unconditionally in implementing the United Nations peace-keeping plan, including the disbanding and demobilization of Serb Territorial Defence units or other units of similar functions.

STATEMENT BY THE PRESIDENT

25 January 1993 (S/25162)

The Council reaffirms its demand that all parties and others concerned, in particular Serb paramilitary units, cease and desist forthwith from all violations of international humanitarian law being committed in Bosnia and Herzegovina, including in particular the deliberate interference with humanitarian convoys, and warns the parties concerned of serious consequences if they continue to impede the delivery of humanitarian relief assistance.

STATEMENT BY THE PRESIDENT

27 January 1993 (S/25178)

The Council, deeply concerned about the continued offensive by the Croatian armed forces, demands the immediate cessation of military action by all parties and others concerned, and full and immediate compliance with all the provisions of resolution 802 (1993) and with other relevant Security Council resolutions. The Council reiterates that it will hold the political and military leaders involved in the conflict responsible and accountable for the safety of the UNPROFOR personnel in the area.

STATEMENT BY THE PRESIDENT (to the press)

28 January 1993 (S/25190)

The Council expresses its concern about a flagrant violation of the mandatory economic sanctions it had imposed against the Federal Republic of Yugoslavia (Serbia and Montenegro), and reaffirms its support for vigorous enforcement of the relevant resolutions.

STATEMENT BY THE PRESIDENT (to the press)

10 February 1993 (S/25270)

The Council, based on a report about the detention of Romanian vessels by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro), condemns any such retaliatory action, and demands that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) release the vessels and desist from further unlawful detentions.

STATEMENT BY THE PRESIDENT
17 February 1993 (S/25302)

The Council condemns the blocking of humanitarian convoys and the impeding of relief supplies, which place at risk the civilian population of Bosnia and Herzegovina and endanger the lives of personnel delivering such supplies, and reiterates its demand that the parties and all others concerned allow immediate and unimpeded access to humanitarian relief supplies.

RESOLUTION 807 (1993)
19 February 1993

The Council demands that the parties and others concerned comply fully with the United Nations peace-keeping plan in Croatia and with the other commitments they have undertaken, demands also the full and strict observance of all relevant Council resolutions relating to the mandate and operations of UNPROFOR in Bosnia and Herzegovina, and decides, in the context of these demands, to extend UNPROFOR's mandate for an interim period terminating on 31 March 1993. The Council urges the parties and others concerned to cooperate fully with the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia in order to ensure full implementation of the United Nations peace-keeping mandate in Croatia. It invites the Secretary-General to take all appropriate measures to strengthen the security of UNPROFOR and requests him to submit a report on the further extension of UNPROFOR's mandate.

RESOLUTION 808 (1993)
22 February 1993

The Council decides to establish an international tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991, and requests the Secretary-General to submit for consideration by the Council at the earliest possible date a report on all aspects of this matter.

STATEMENT BY THE PRESIDENT
24 February 1993 (S/25328)

The Council endorses the 23 February 1993 statement by the President of the United States of America and the United Nations Secretary-General, calling on the leaders of the parties involved in the peace talks on Bosnia and Herzegovina to come to New York immediately to resume discussions aimed at the early conclusion of an agreement to end the conflict.

STATEMENT BY THE PRESIDENT
25 February 1993 (S/25334)

The Council strongly condemns once again the blocking of humanitarian convoys, reiterates its demand that the Bosnian parties grant immediate and unimpeded access for humanitarian convoys and fully comply with the Council's decisions in this regard. The Council expresses its strong support for the use of

humanitarian air drops in isolated areas of Bosnia and Herzegovina that are in critical need of humanitarian supplies and cannot be reached by ground convoys.

STATEMENT BY THE PRESIDENT
3 March 1993 (S/25361)

The Council condemns the continuing military attacks in eastern Bosnia and Herzegovina and the resulting deterioration in the humanitarian situation in that region, and demands that the leaders of all parties to the conflict in that Republic remain fully engaged in New York in a sustained effort with the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia to reach quickly a fair and workable settlement.

STATEMENT BY THE PRESIDENT
17 March 1993 (S/25426)

The Council demands from the Bosnian Serbs an immediate explanation of the violations of the "no-fly zone" and particularly of the aerial bombardment of the villages of Gladovici and Osatica in Bosnia and Herzegovina, and requests the Secretary-General to ensure that an investigation is made of the reported possible use of the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) to launch air strikes against Bosnia and Herzegovina.

STATEMENT BY THE PRESIDENT
25 March 1993 (S/25471)

The Council welcomes the signature by President Alija Izetbegovic and Mr. Mate Boban of all four documents of the peace plan for Bosnia and Herzegovina. It calls on the remaining party to sign without delay the two documents of the peace plan that it has not yet signed and to cease its violence, offensive military actions, "ethnic cleansing" and obstruction of humanitarian assistance.

RESOLUTION 815 (1993)
30 March 1993

The Council extends UNPROFOR's mandate for an additional interim period until 30 June 1993. It decides to reconsider within one month, or at any time at the request of the Secretary-General, the Force's mandate in light of developments of the International Conference on the Former Yugoslavia and the situation on the ground and requested the Secretary-General to report urgently to the Council on how the United Nations Peace Plan for Croatia can be effectively implemented.

RESOLUTION 816 (1993)
31 March 1993

The Council, acting under Chapter VII of the Charter, authorizes Member States, seven days after the adoption of the resolution, acting nationally or through regional arrangements, to take, under the authority of the Security Council and subject to close coordination with the Secretary-General and UNPROFOR, all necessary measures in the airspace of Bosnia and Herzegovina, in the event of further violations, to ensure

compliance with the ban on flights, and proportionate to the specific circumstances and the nature of flights.

STATEMENT BY THE PRESIDENT
3 April 1993 (S/25520)

The Council demands that the Bosnian Serb party cease and desist forthwith from all violations of international humanitarian law, including in particular the deliberate interference with humanitarian convoys, and allow all such convoys unhindered access to the town of Srebrenica and other parts in the Republic of Bosnia and Herzegovina.

RESOLUTION 817 (1993)
7 April 1993

The Council recommends that the General Assembly admit to membership in the United Nations the State which is being provisionally referred to for all purposes within the United Nations as "the former Yugoslav Republic of Macedonia" pending settlement of the difference that has arisen over the name of that State.

STATEMENT BY THE PRESIDENT
7 April 1993 (S/25545)

The Council welcomes the initiative taken by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia in order to set up a mechanism to settle the difference which has arisen over the name of "the former Yugoslav Republic of Macedonia" and to promote confidence-building measures in the region.

STATEMENT BY THE PRESIDENT (to the press)
8 April 1993 (S/25557)

The Council expresses concern at the ICRC report, according to which 17 detainees lost their lives in Bosnia and Herzegovina, condemns all violations of the Geneva Conventions and requests the Commission of Experts to carry out an investigation of these abominable practices and to make a report.

RESOLUTION 819 (1993)
16 April 1993

The Council demands that all parties treat Srebrenica and its surroundings as a safe area which should be free from any armed attack or any other hostile act. It also demands the immediate withdrawal of Bosnian Serb paramilitary units from areas surrounding that town and the cessation of armed attacks against it, requests the Secretary-General to take steps to increase the presence of UNPROFOR in Srebrenica and to arrange for the safe transfer of ill and wounded, and decides to send a mission of Council members to ascertain, firsthand, the situation in Bosnia and Herzegovina.

RESOLUTION 820 (1993)
17 April 1993

The Council commends the peace plan for Bosnia and Herzegovina, welcomes the fact that the plan had been accepted in full by two of the Bosnian parties and calls on the Bosnian Serb party to accept the peace plan in full. It decides to strengthen the sanctions regime imposed against the Federal Republic of Yugoslavia (Serbia and Montenegro), effective nine days after the date of adoption of the resolution, unless the Bosnian Serb party sign the peace plan and cease their military attacks in Bosnia and Herzegovina.

STATEMENT BY THE PRESIDENT (to the press)
21 April 1993 (S/25646)

The Council strongly condemns the new outbreak of violence in Bosnia and Herzegovina, demands that Bosnian governmental forces and Bosnian Croat paramilitary units cease immediately those hostilities and calls upon all the parties to cooperate with the current efforts in this regard by UNPROFOR and Lord Owen, Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia.

RESOLUTION 821 (1993)
28 April 1993

The Council reaffirms that the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations, and recommends to the General Assembly that it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) shall not participate in the work of the Economic and Social Council.

STATEMENT BY THE PRESIDENT (to the press)
3 May 1993

The Council welcomes the signature of the Vance-Owen peace plan in its entirety by all the Bosnian parties.

RESOLUTION 824 (1993)
6 May 1993

The Council declares that the capital of Bosnia and Herzegovina, Sarajevo, and other such threatened areas, in particular the towns of Tuzla, Zepa, Gorazde, Bihac, as well as Srebrenica, should be treated as safe areas by all the parties concerned and should be free of armed attacks and from any other hostile act.

STATEMENT BY THE PRESIDENT (to the press)
7 May 1993

The Council reaffirms its position that the basis for a peaceful solution to the conflict in Bosnia and Herzegovina is the Vance-Owen peace plan and that the Bosnian Serbs must return to it.

STATEMENT BY THE PRESIDENT
10 May 1993 (S/25746)

The Council condemns the major new military offensive launched by Bosnian Croat paramilitary units, demands that the attacks against the areas of Mostar, Jablanica and Dreznica cease and that Bosnian Croat paramilitary units withdraw immediately from the area.

STATEMENT BY THE PRESIDENT (to the press)
14 May 1993 (SC/5618)

The Council expresses its indignation and grief at the tragic death of a member of UNPROFOR Spanish battalion.

RESOLUTION 827 (1993)
25 May 1993

The Council decides to establish an International Tribunal for the sole purpose of prosecuting persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia between 1 January 1991 and a date to be determined by the Security Council upon the restoration of peace.

STATEMENT BY THE PRESIDENT (to the press)
1 June 1993 (SC/5638)

The Council learns, with distress, of the killing of two UNHCR Danish civilian drivers in Bosnia and Herzegovina, and declares the targeting of humanitarian convoys by the parties to the conflict totally unacceptable.

RESOLUTION 836 (1993)
4 June 1993

The Council decides to extend the mandate of UNPROFOR in order to enable it to deter attacks against the safe areas referred to in resolution 824 (1993); authorizes UNPROFOR, acting in self-defence, to take the necessary measures, including the use of force, in response to bombardments against or armed incursion into the safe areas by any of the parties or in the event of deliberate obstruction in or around those areas to the freedom of movement of UNPROFOR or of protected humanitarian convoys; decides that Member States, acting nationally or through regional organizations or arrangements, may take, under the authority of the Security Council and subject to close coordination with the Secretary-General and UNPROFOR, all necessary measures, through the use of air power, in and around the safe areas in Bosnia and Herzegovina, to support UNPROFOR in the performance of its mandate.

STATEMENT BY THE PRESIDENT
8 June 1993 (S/25897)

The Council expresses deep concern over the failure of the Krajina Serbs to participate in talks on the implementation of resolution 802 (1993) which were to be held in Zagreb on 26 May 1993.

RESOLUTION 838 (1993)
10 June 1993

The Council requests the Secretary-General to submit a further report on options for the deployment of international observers on the borders of Bosnia and Herzegovina.

RESOLUTION 842 (1993)
18 June 1993

The Council welcomes the offer made by a Member State (United States of America) to contribute additional personnel to the UNPROFOR presence in the former Yugoslav Republic of Macedonia.

RESOLUTION 843 (1993)
18 June 1993

The Council welcomes the establishment by the Committee [set up pursuant to resolution 724 (1991)] of its working group and invites the Committee, as it completes the examination of each request for assistance under the provisions of Article 50 of the Charter, to make recommendations to the President of the Council for appropriate action.

RESOLUTION 844 (1993)
18 June 1993

The Council authorizes the reinforcement of UNPROFOR to meet the additional force requirements.

RESOLUTION 845 (1993)
18 June 1993

The Council urges Greece and the former Yugoslav Republic of Macedonia to continue their efforts, under the auspices of the Secretary-General, to arrive at the speedy settlement of the remaining issues between them.

DRAFT RESOLUTION (not adopted)
29 June 1993 (S/25997)

The Council would have decided to exempt the Government of the Republic of Bosnia and Herzegovina from the arms embargo, imposed on the former Yugoslavia by resolution 713 (1991), with the sole purpose of enabling that Republic to exercise its inherent right of self-defence.

RESOLUTION 847 (1993)
30 June 1993

The Council decides to extend UNPROFOR's mandate for an additional interim period terminating on 30 September 1993.

STATEMENT BY THE PRESIDENT
15 July 1993 (S/26084)

The Council expresses its deep concern at the reported hostilities in the UNPAs including in particular by the Krajina Serbs, considers the planned unilateral reopening of the Maslenica bridge and of Zemunik Airport would jeopardize the objectives of the Council's resolutions and urges the Government of Croatia to refrain from this action.

STATEMENT BY THE PRESIDENT
22 July 1993 (S/26134)

The Council demands an immediate end to the offensive by the Bosnian Serbs on Mount Igman and to all attacks on Sarajevo, to all violations of international humanitarian law, to the disruption of public utilities by the Bosnian Serb party, and to the blocking by both the Bosnian Serb and the Bosnian Croat parties of the delivery of humanitarian relief.

STATEMENT BY THE PRESIDENT
30 July 1993 (S/26199)

The Council demands that the Croatian forces withdraw from the area of the Maslenica bridge and permit the immediate deployment of UNPROFOR, and that the Krajina Serb forces refrain from entering the area.

RESOLUTION 855 (1993)
9 August 1993

The Council calls upon the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) to reconsider their refusal to allow the continuation of the activities of the CSCE missions in Kosovo, Sandjak and Vojvodina.

RESOLUTION 857 (1993)
20 August 1993

The Council establishes the list of candidates for Judges of the International Tribunal.

RESOLUTION 859 (1993)
24 August 1993

The Council affirms that a solution to the conflict in Bosnia and Herzegovina must be in conformity with the United Nations Charter and the principles of international law, and declares its readiness to consider taking necessary measures to assist the parties in the effective implementation of a fair and equitable settlement once it has been freely agreed by the parties.

STATEMENT BY THE PRESIDENT
14 September 1993 (S/26436)

The Council expresses its profound concern at the reports of recent military hostilities in Croatia, calls on the Croatian Government to withdraw its armed forces to positions occupied before 9 September 1993 and calls on the Serbian forces to halt all provocative military actions.

STATEMENT BY THE PRESIDENT
14 September 1993 (S/26437)

The Council expresses its profound concern over recent reports that Bosnian Croats have been holding Bosnian Muslims in detention camps under deplorable conditions and reiterates the principle that ICRC must be given access to all detainees in Bosnia and Herzegovina.

RESOLUTION 869 (1993)
30 September 1993

The Council decides to extend UNPROFOR's mandate for an additional period terminating on 1 October 1993.

RESOLUTION 870 (1993)
1 October 1993

The Council decides to extend UNPROFOR's mandate for an additional period terminating on 5 October 1993.

RESOLUTION 871 (1993)
4 October 1993

The Council declares that continued non-cooperation in the implementation of the relevant resolutions of the Council or external interference in respect of the full implementation of the United Nations peace-keeping plan for the Republic of Croatia would have serious consequences, and decides to extend UNPROFOR's mandate for an additional period terminating on 31 March 1994.

STATEMENT BY THE PRESIDENT
13 October 1993 (S/26572)

The Council condemns the blocking of the Danube by two Serb NGOs, expresses concern that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) continue the illegal imposition of tolls on foreign vessels, and reaffirms the unacceptability for that Republic to take retaliatory measures in response to action by a State in fulfilment of its obligations under the United Nations Charter.

RESOLUTION 877 (1993)
21 October 1993

The Council appoints Mr. Ramón Escovar-Salom, Attorney General of Venezuela, as Prosecutor of the International Tribunal.

STATEMENT BY THE PRESIDENT
28 October 1993 (S/26661)

The Council — after having heard an initial report concerning the massacre of the civilian population in the village of Stupni Do by troops of the Croatian Defence Council, accounts of an attack against UNPROFOR by armed persons bearing uniforms of the Bosnian Government forces and an attack on a humanitarian convoy in central Bosnia — unreservedly condemns these acts of violence, and requests the Secretary-General to submit a complete report on the responsibility for these acts.

STATEMENT BY THE PRESIDENT
9 November 1993 (S/26716)

The Council expresses its deep concern at the reported deterioration of the situation in central Bosnia, where increased military activities are seriously threatening the security of the civilian population, and at the overall humanitarian situation prevailing in the Republic of Bosnia and Herzegovina.

STATEMENT BY THE PRESIDENT
9 November 1993 (S/26717)

The Council demands that the Bosnian Serb forces release immediately two persons taken hostage while on a peace mission under the protection of UNPROFOR and requests the Secretary-General to undertake a thorough investigation of the incident.

STATEMENT BY THE PRESIDENT
7 January 1994 (S/PRST/1994/1)

The Council expresses its deep concern at the continuing widespread hostilities in Bosnia and Herzegovina, deplores the failure of the parties to honour the agreements they have already signed, condemns the flagrant violations of international humanitarian law, and condemns any hostilities in the United Nations-designated safe areas, in particular the continuing military pressure on and the relentless bombardment of Sarajevo by Bosnian Serb forces.

STATEMENT BY THE PRESIDENT
3 February 1994 (S/PRST/1994/6)

The Council demands that the Republic of Croatia withdraw all elements of the Croatian Army along with military equipment and fully respect the territorial integrity of the Republic of Bosnia and Herzegovina, and expresses readiness to consider other serious measures if the Republic of Croatia fails to put an immediate end to all forms of interference in the Republic of Bosnia and Herzegovina.

RESOLUTION 900 (1994)
4 March 1994

The Council requests the Secretary-General to appoint a senior civilian official, who will act under the authority of his Special Representative for the former Yugoslavia, to draw up an overall assessment and plan of action for the restoration of essential public services in the various opstinas of Sarajevo, other than the city of Pale; requests the Secretary-General to present a report on the feasibility and modalities for the application of the protection, defined in resolutions 824 (1993) and 836 (1993), to Maglaj, Mostar and Vitez.

STATEMENT BY THE PRESIDENT
14 March 1994 (S/PRST/1994/10)

The Council most strongly condemns the flagrant violation by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) of the relevant Security Council resolutions prohibiting the shipment of commodities and products to that Republic.

STATEMENT BY THE PRESIDENT
14 March 1994 (S/PRST/1994/11)

The Council strongly condemns the indiscriminate shelling of the civilian population of Maglaj by the Bosnian Serb party and demands that the siege of that city be ended immediately; and also demands that the Bosnian Serb party and the Bosnian Croat party allow passage of all humanitarian convoys.

RESOLUTION 713 (1991)
25 September 1991

Adopted by unanimous vote.

Sponsors: Austria, Belgium, France, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland.

The Security Council,

Conscious of the fact that Yugoslavia has welcomed the convening of a Security Council meeting through a letter conveyed by the Permanent Representative of Yugoslavia to the President of the Security Council (S/23069),

Having heard the statement by the Foreign Minister of Yugoslavia,

Deeply concerned by the fighting in Yugoslavia which is causing a heavy loss of human life and material damage, and by the consequences for the countries of the region, in particular in the border areas of neighbouring countries,

Concerned that the continuation of this situation constitutes a threat to international peace and security,

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling also the provisions of Chapter VIII of the Charter of the United Nations,

Commending the efforts undertaken by the European Community and its member States, with the support of the States participating in the Conference on Security and Cooperation in Europe, to restore peace and dialogue in Yugoslavia, through, *inter alia*, the implementation of a cease-fire including the sending of observers, the convening of a Conference on Yugoslavia, including the mechanisms set forth within it, and the suspension of the delivery of all weapons and military equipment to Yugoslavia,

Recalling the relevant principles enshrined in the Charter of the United Nations and, in this context, noting the Declaration of 3 September 1991 of the States participating in the Conference on Security and Cooperation in Europe that no territorial gains or changes within Yugoslavia brought about by violence are acceptable,

Noting also the agreement for a cease-fire concluded on 17 September 1991 in Igalo, and also that signed on 22 September 1991,

Alarmed by the violations of the cease-fire and the continuation of the fighting,

Taking note of the letter dated 19 September 1991 to the President of the Security Council from the Permanent Representative of Austria (S/23052),

Taking note also of the letters dated 19 September 1991 and 20 September 1991 to the President of the Security Council from respectively the Permanent Representative of Canada (S/23053) and the Permanent Representative of Hungary (S/23057),

Taking note also of the letters dated 5 July 1991 (S/22775), 12 July 1991 (S/22785), 22 July 1991 (S/22834), 6 August 1991 (S/22898), 7 August 1991 (S/22902), 7 August 1991 (S/22903), 21 August 1991 (S/22975), 29 August 1991 (S/22991), 4 September 1991 (S/23010), 19 September 1991 (S/23047), 20 September 1991 (S/23059) and 20 September 1991 (S/23060), from respectively the Permanent Representative of the Netherlands, the Permanent Representative of Czechoslovakia, the Permanent Representatives of Belgium, France and the United Kingdom of Great Britain and Northern Ireland, the Chargé d'affaires *a.i.* of Austria, and the Permanent Representative of Australia,

1. Expresses its full support for the collective efforts for peace and dialogue in Yugoslavia undertaken under the auspices of the member States of the European Community with the support of the States participating in the Conference on Security and Cooperation in Europe consistent with the principles of that Conference;

2. Supports fully all arrangements and measures resulting from such collective efforts as those described above, in particular of assistance and support to the cease-fire observers, to consolidate an effective end to hostilities in Yugoslavia and the smooth functioning of the process instituted within the framework of the Conference on Yugoslavia;

3. Invites to this end the Secretary-General to offer his assistance without delay, in consultation with the Government of Yugoslavia and all those promoting the efforts referred to above, and to report as soon as possible to the Security Council;

4. Strongly urges all parties to abide strictly by the cease-fire agreements of 17 September 1991 and 22 September 1991;

5. Appeals urgently to and encourages all parties to settle their disputes peacefully and through negotiation at the Conference on Yugoslavia, including through the mechanisms set forth within it;

6. Decides, under Chapter VII of the Charter of the United Nations, that all States shall, for the purposes of establishing peace and stability in Yugoslavia, immediately implement a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia until the Security Council decides otherwise following consultation between the Secretary-General and the Government of Yugoslavia;

7. Calls on all States to refrain from any action which might contribute to increasing tension and to impeding or delaying a peaceful and negotiated outcome to the conflict in Yugoslavia, which would permit all Yugoslavs to decide upon and to construct their future in peace,

8. Decides to remain seized of the matter until a peaceful solution is achieved.

RESOLUTION 721 (1991)
27 November 1991

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991,

Considering the request by the Government of Yugoslavia for the establishment of a peace-keeping operation in Yugoslavia, as conveyed in the letter of 26 November 1991 addressed by the Permanent Representative of Yugoslavia to the President of the Security Council (S/23240),

Deeply concerned by the fighting in Yugoslavia and by the serious violations of earlier cease-fire agreements, which have caused heavy loss of human life and widespread material damage, and by the consequences for the countries of the region,

Noting that the continuation and aggravation of this situation constitute a threat to international peace and security,

Considering also the letter addressed on 24 November 1991 by the Secretary-General to the President of the Security Council on the mission of his Personal Envoy to Yugoslavia and the annexed agreement signed in Geneva on 23 November 1991 (S/23239),

Considering further the fact, as conveyed in the letter addressed on 24 November 1991 by the Secretary-General to the President of the Security Council (S/23239), that each one of the Yugoslav participants in the meeting with the Personal Envoy of the Secretary-General stated that they wanted to see the deployment of a United Nations peace-keeping operation as soon as possible,

1. Approves the efforts of the Secretary-General and his Personal Envoy and ***expresses the hope*** that they will pursue their contacts with the Yugoslav parties, as rapidly as possible, so that the Secretary-General can present early recommendations to the Security Council including for the possible establishment of a United Nations peace-keeping operation in Yugoslavia;

2. Endorses the statement made by the Personal Envoy of the Secretary-General to the parties that the deployment of a United Nations peace-keeping operation cannot be envisaged without, *inter alia*, full compliance by all parties with the agreement signed in Geneva on 23 November 1991 and annexed to the letter of the Secretary-General (S/23239);

3. Strongly urges the Yugoslav parties to comply fully with that agreement;

4. Undertakes to examine and take appropriate action without delay upon the recommendations of the Secretary-General mentioned above, including in particular any recommendation for the possible establishment of a United Nations peace-keeping operation in Yugoslavia;

5. Decides to remain actively seized of the matter until a peaceful solution is achieved.

RESOLUTION 724 (1991)
15 December 1991

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991 and 721 (1991) of 27 November 1991,

Noting the report of the Secretary-General of 11 December 1991 (S/23280) submitted pursuant to resolution 721 (1991),

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling also the provisions of Chapter VIII of the Charter of the United Nations,

Determined to ensure that the general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia imposed by resolution 713 (1991) is effectively applied,

Commending the initiatives taken by the Secretary-General in the humanitarian field,

1. Approves the report of the Secretary-General of 11 December 1991 (S/23280) and ***expresses*** its appreciation to the Secretary-General for it;

2. Endorses in particular the views expressed in paragraph 21 of the Secretary-General's report that the conditions for establishing a peace-keeping operation in Yugoslavia still do not exist and in paragraph 24 that full compliance with the Geneva Agreement of 23 November 1991 would permit accelerated consideration of the question of establishing a United Nations peace-keeping operation in Yugoslavia;

3. Concurs in particular with the Secretary-General's observation that the international community is prepared to assist the Yugoslav peoples, if the conditions described in his report are met and, in that context, ***endorses*** his offer to send to Yugoslavia a small group of personnel, including military personnel, as part of the continuing mission of his Personal Envoy, to carry forward preparations for possible deployment of a peace-keeping operation;

4. Underlines the view that the purpose of the deployment of any United Nations peace-keeping operation in Yugoslavia would be to enable all parties to settle their disputes peacefully, including through the processes of the Conference on Yugoslavia;

5. Acting under Chapter VII of the Charter of the United Nations:

(a) Requests all States to report to the Secretary-General within 20 days on the measures they have instituted for meeting the obligations set out in paragraph 6 of resolution 713 (1991) to implement a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia;

(b) Decides to establish, in accordance with rule 28 of its Provisional Rules of Procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(i) To examine the reports submitted pursuant to subparagraph (a) above;

(ii) To seek from all States further information regarding the action taken by them concerning the effective implementation of the embargo imposed by paragraph 6 of resolution 713 (1991);

(iii) To consider any information brought to its attention by States concerning violations of the embargo, and in that context to make recommendations to the Council on ways of increasing the effectiveness of the embargo;

(iv) To recommend appropriate measures in response to violations of the general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia and provide information on a regular basis to the Secretary-General for general distribution to Member States;

(c) Calls upon all States to cooperate fully with the Committee in the fulfilment of its tasks concerning the effective implementation of the provisions of paragraph 6 of resolution 713 (1991);

(d) Requests the Secretary-General to provide all necessary assistance to the Committee and to make the necessary arrangements in the Secretariat for this purpose;

6. Undertakes to consider ways by which compliance with the commitments entered into by the parties may be achieved;

7. Strongly urges all States and parties to refrain from any action which might contribute to increasing tension, to inhibiting the establishment of an effective cease-fire and to impeding or delaying a peaceful and negotiated outcome to the conflict in Yugoslavia, which would permit all the peoples of Yugoslavia to decide upon and to construct their future in peace;

8. Encourages the Secretary-General to pursue his humanitarian efforts in Yugoslavia, in liaison with the International Committee of the Red Cross, the United Nations High Commissioner for Refugees, UNICEF and other appropriate humanitarian organizations, to take urgent practical steps to tackle the critical needs of the people of Yugoslavia, including displaced persons and the most vulnerable groups affected by the conflict, to assist in the voluntary return of displaced persons to their homes;

9. Decides to remain actively seized of the matter until a peaceful solution is achieved.

STATEMENT BY THE PRESIDENT
7 January 1992

Following consultations of the Security Council, the President made the following statement on behalf of the members of the Council, at its 3027th meeting on 7 January 1992, in connection with the Council's consideration of the item entitled "Oral report of the Secretary-General pursuant to his report of 5 January 1992 (S/23363)":

The Members of the Security Council discussed on 7 January the tragic incident that occurred in Yugoslavia earlier in the day, in which helicopters of the European Community Monitoring Mission in Yugoslavia were shot down by a Yugoslav aircraft, killing four Italian members and one French member of the Monitoring Mission.

The Members of the Council condemned this callous attack on unarmed civilian personnel. They extended their most sincere condolences to the families of those

who had lost their lives. They noted that the Yugoslav authorities had accepted responsibility for this flagrant breach of the cease-fire, had said that they would take the necessary disciplinary action against those responsible, and had reiterated their commitment to observe the cease-fire fully. The Members of the Council called on the Yugoslav authorities to take all steps necessary to ensure that this act does not go unpunished and that such incidents do not occur again.

The Members of the Council reiterated their urgent call on all parties to the conflict in Yugoslavia to respect their cease-fire commitments. They underlined the continuing importance of the role played by the EC Monitoring Mission, as emphasized in the Secretary-General's report of 5 January (S/23363). They expressed their deep appreciation for the work done by members of the Mission and they called on the Yugoslav parties to ensure that members of the Mission and UN personnel be allowed to fulfil their role with the full cooperation of all sides.

RESOLUTION 727 (1992)
8 January 1992

Adopted, as orally amended, by unanimous vote.
Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, and 724 (1991) of 15 December 1991,

Noting the report of the Secretary-General of 5 January 1992 (S/23363 and Add.1) submitted pursuant to resolution 721 (1991),

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling also the provisions of Chapter VIII of the Charter of the United Nations, and ***noting*** the continuing role that the European Community will play in achieving a peaceful solution in Yugoslavia,

Deploring the tragic incident on 7 January 1992 which caused the death of five members of the European Community Monitoring Mission,

1. Approves the report of the Secretary-General of 5 January 1992 (S/23363 and Add.1) and ***expresses*** its appreciation to the Secretary-General for it;

2. Welcomes the signing, under the auspices of the Secretary-General's Personal Envoy, of an Implementing Accord at Sarajevo on 2 January 1992 concerning modalities for implementing the unconditional cease-fire agreed to by the parties at Geneva on 23 November 1991;

3. Endorses the Secretary-General's intention as a follow-up to his Personal Envoy's latest mission to send immediately to Yugoslavia a group of up to 50 military liaison officers to promote maintenance of the cease-fire; in this connection, ***takes note in particular*** of the views expressed in paragraphs 24, 25, 28, 29 and 30 of the Secretary-General's report and the criteria reflected in paragraphs 3 and 4 of resolution 724 (1991);

4. Urges all parties to honour the commitments made at Geneva and Sarajevo with a view to effecting a complete cessation of hostilities;

5. Requests all the parties to take all the necessary measures to ensure the safety of the personnel sent by the United Nations and of the members of the European Community Monitoring Mission;

6. Reaffirms the embargo applied in paragraph 6 of resolution 713 (1991) and in paragraph 5 of resolution 724 (1991), and ***decides*** that the embargo applies in accordance with paragraph 33 of the Secretary-General's report (S/23363);

7. Encourages the Secretary-General to pursue his humanitarian efforts in Yugoslavia;

8. Decides to remain actively seized of the matter until a peaceful solution is achieved.

RESOLUTION 740 (1992)
7 February 1992

Adopted, as orally revised, by unanimous vote.
Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724 (1991) of 15 December 1991 and 727 (1992) of 8 January 1992,

Noting the further report of the Secretary-General of 5 February 1992 (S/23513) submitted pursuant to resolution 721 (1991) and ***welcoming*** his report that the cease-fire has been generally observed thus removing one of the obstacles to the deployment of a peace-keeping operation,

Taking note that the letter of President Franjo Tudjman of 6 February 1992, in which he accepts fully and unconditionally the Secretary-General's concept and plan which defines the conditions and areas where the United Nations force would be deployed, removes a further obstacle in that respect,

Further noting that the implementation of the United Nations peace-keeping plan will facilitate the task of the Conference on Yugoslavia in reaching a political settlement,

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling also the provisions of Chapter VIII of the Charter of the United Nations,

Expressing concern at the indications that the arms embargo established by the Security Council in resolution 713 (1991) is not being fully observed, as noted in paragraph 21 of the report of the Secretary-General (S/23513),

1. Reaffirms its approval set out in resolution 724 (1991) of the United Nations peace-keeping plan contained in the report of the Secretary-General of 11 December 1991 (S/23280);

2. Welcomes the continuing efforts of the Secretary-General and his Personal Envoy to remove the remaining obstacle in the way of the deployment of a peace-keeping operation;

3. Approves the Secretary-General's proposal to increase the authorized strength of the military liaison mission to a total of 75 officers;

4. Requests the Secretary-General to expedite his preparations for a United Nations peace-keeping operation so as to be prepared to deploy immediately after the Security Council decides to do so;

5. Expresses its concern that the United Nations peace-keeping plan contained in the report of the Secretary-General of 11 December 1991 (S/23280) has not yet been fully and unconditionally accepted by all in Yugoslavia on whose cooperation its success depends;

6. Calls upon all States to continue to take all appropriate steps to ensure that the Yugoslav parties implement their unqualified acceptance of the United Nations peace-keeping plan, fulfil their commitments in good faith and cooperate fully with the Secretary-General;

7. Calls upon the Yugoslav parties to cooperate fully with the Conference on Yugoslavia in its aim of reaching a political settlement consistent with the principles of the Conference on Security and Cooperation in Europe and ***reaffirms*** that the United Nations peace-keeping plan and its implementation are in no way intended to prejudge the terms of a political settlement;

8. Calls upon all States to cooperate fully with the Committee established by resolution 724 (1991), in-

cluding reporting any information brought to their attention concerning violations of the embargo;

9. *Decides* to remain actively seized of the matter until a peaceful solution is achieved.

RESOLUTION 743 (1992)
21 February 1992

Adopted, as orally revised, by unanimous vote.
Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724 (1991) of 15 December 1991, 727 (1992) of 8 January 1992 and 740 (1992) of 7 February 1992,

Noting the report of the Secretary-General of 15 February 1992 (S/23592) submitted pursuant to resolution 721 (1991) and the request of the Government of Yugoslavia (S/23240) of 26 November 1991 for a peace-keeping operation referred to in that resolution,

Noting in particular that the Secretary-General considers that the conditions permitting the early deployment of a United Nations Protection Force (UNPROFOR) are met and ***welcoming*** his recommendation that this Force should be established with immediate effect,

Expressing its gratitude to the Secretary-General and his Personal Envoy for their contribution to the achievement of conditions facilitating the deployment of a United Nations Protection Force (UNPROFOR) and their continuing commitment to this effort,

Concerned that the situation in Yugoslavia continues to constitute a threat to international peace and security as determined in resolution 713 (1991),

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling also the provisions of Article 25 and Chapter VIII of the Charter of the United Nations,

Commending again the efforts undertaken by the European Community and its member States, with the support of the States participating in the Conference on Security and Cooperation in Europe, through the convening of a Conference on Yugoslavia, including the mechanisms set forth within it, to ensure a peaceful political settlement,

Convinced that the implementation of the United Nations peace-keeping plan (S/23280, Annex III) will assist the Conference on Yugoslavia in reaching a peaceful political settlement,

1. *Approves* the report of the Secretary-General of 15 February 1992 (S/23592);

2. *Decides* to establish, under its authority, a United Nations Protection Force (UNPROFOR) in accordance with the above-mentioned report and the United Nations peace-keeping plan and ***requests*** the Secretary-General to take the measures necessary to ensure its earliest possible deployment;

3. *Decides* that, in order to implement the recommendations in paragraph 30 of the report of the Secretary-General, the Force is established in accordance with paragraph 4 below, for an initial period of 12 months unless the Council subsequently decides otherwise;

4. *Requests* the Secretary-General immediately to deploy those elements of the Force which can assist in developing an implementation plan for the earliest possible full deployment of the Force for approval by the Council and a budget which together will maximize the contribution of the Yugoslav parties to offsetting its costs and in all other ways secure the most efficient and cost-effective operation possible;

5. *Recalls* that, in accordance with paragraph 1 of the United Nations peace-keeping plan, the Force should be an interim arrangement to create the conditions of

peace and security required for the negotiation of an overall settlement of the Yugoslav crisis;

6. Invites accordingly the Secretary-General to report as appropriate and not less than every six months on progress towards a peaceful political settlement and the situation on the ground, and to submit a first report on the establishment of the Force within two months of the adoption of this resolution;

7. Undertakes, in this connection, to examine without delay any recommendations that the Secretary-General may make in his reports concerning the Force, including the duration of its mission, and to adopt appropriate decisions;

8. Urges all parties and others concerned to comply strictly with the cease-fire arrangements signed at Geneva on 23 November 1991 and at Sarajevo on 2 January 1992, and to cooperate fully and unconditionally in the implementation of the peace-keeping plan;

9. Demands that all parties and others concerned take all the necessary measures to ensure the safety of the personnel sent by the United Nations and of the members of the European Community Monitoring Mission;

10. Calls again upon the Yugoslav parties to cooperate fully with the Conference on Yugoslavia in its aim of reaching a political settlement consistent with the principles of the Conference on Security and Cooperation in Europe and **reaffirms** that the United Nations peace-keeping plan and its implementation are in no way intended to prejudge the terms of a political settlement;

11. Decides within the same framework that the embargo imposed by paragraph 6 of Security Council resolution 713 (1991) shall not apply to weapons and military equipment destined for the sole use of UNPROFOR;

12. Requests all States to provide appropriate support to UNPROFOR, in particular to permit and facilitate the transit of its personnel and equipment;

13. Decides to remain actively seized of the matter until a peaceful solution is achieved.

RESOLUTION 749 (1992)
7 April 1992

Adopted, as orally revised in its provisional form, by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724 (1991) of 15 December 1991, 727 (1992) of 8 January 1992, 740 (1992) of 7 February 1992 and 743 (1992) of 21 February 1992,

Noting the report of the Secretary-General of 2 April 1992 (S/23777) submitted pursuant to resolution 743 (1992),

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Welcoming the progress made towards the establishment of the United Nations Protection Force (UNPROFOR) and the continuing contacts by the Secretary-General with all parties and others concerned to stabilize the cease-fire,

Expressing its concern about reports on the daily violations of the cease-fire and the continuing tension in a number of regions even after the arrival of UNPROFOR's advance elements,

1. Approves the report of the Secretary-General of 2 April 1992 (S/23777);

2. Decides to authorize the earliest possible full deployment of UNPROFOR;

3. Urges all parties and others concerned to make

further efforts to maximize their contributions towards offsetting the costs of UNPROFOR, in order to help secure the most efficient and cost-effective operation possible;

4. Further urges all parties and others concerned to take all action necessary to ensure complete freedom of aerial movement for UNPROFOR;

5. Calls upon all parties and others concerned not to resort to violence, particularly in any area where UNPROFOR is to be based or deployed;

6. Appeals to all parties and others concerned in Bosnia-Herzegovina to cooperate with the efforts of the European Community to bring about a cease-fire and a negotiated political solution.

STATEMENT BY THE PRESIDENT
10 April 1992

Following consultations among members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3068th meeting, on 10 April 1992, in connection with the Council's consideration of the item entitled "Report of the Secretary-General pursuant to Security Council resolution 743 (1992) (S/23777)":

The Security Council, alarmed by reports on rapid deterioration of the situation in Bosnia-Herzegovina, reiterates the appeal in Security Council resolution 749 (1992) to all parties and others concerned in Bosnia-Herzegovina to stop the fighting immediately. It invites the Secretary-General to dispatch urgently to the area his Personal Envoy to act in close cooperation with representatives of the European Community whose current efforts are aimed at stopping the fighting and at bringing about a peaceful solution to the crisis, and to report to the Council.

STATEMENT BY THE PRESIDENT
24 April 1992

Following consultations among members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3070th meeting, on 24 April 1992, in connection with the Council's consideration of the item entitled:

"Letter dated 23 April 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Austria to the United Nations addressed to the President of the Security Council (S/23833)

"Letter dated 24 April 1992 from the Permanent Representative of France to the United Nations addressed to the President of the Security Council (S/23838)".

In advance of its consideration of the report of the Secretary-General pursuant to Security Council resolution 749 (1992) (S/23836) the Security Council has had an exchange of views in the course of which various proposals were made with regard to the situation in Bosnia-Herzegovina.

The Security Council notes with deep concern the rapid and violent deterioration of the situation in Bosnia-Herzegovina, which in addition to causing an increasing number of deaths of many innocent victims further risks compromising peace and security in the region.

It welcomes the recent efforts of the European Community and the Secretary-General aimed at prevailing upon the parties to respect fully the cease-fire signed on 12 April 1992 under the auspices of the European Community. It notes with satisfaction the decision of the Secretary-General to accelerate the deployment in Bosnia-Herzegovina of the 100 military observers from UNPROFOR, 41 to be deployed in the Mostar region immediately. The presence of these military observers, like that of the monitors of the European Community, should help the parties to implement their commitment, undertaken on 23 April 1992, to respect the cease-fire. The Council welcomes the support given by the CSCE to the efforts of the European Community and the United Nations.

The Council demands that all forms of interference from outside Bosnia-Herzegovina cease immediately. In this respect, it specifically calls upon Bosnia-Herzegovina's neighbours to exercise all their influence to end such interference. The Council condemns publicly and unreservedly the use of force, and calls upon all regular or irregular military forces to act in accordance with these principles. It emphasizes the value of close and continuous coordination between the Secretary-General and the European Community in order to obtain

the necessary commitments from all parties and others concerned.

The Council urges all the parties to respect immediately and fully the cease-fire, and condemns all breaches of the cease-fire from whatever quarter.

The Council supports the efforts undertaken by the European Community in the framework of the discussions on constitutional arrangements for Bosnia-Herzegovina under the auspices of the Conference on Yugoslavia. It urges the three communities in Bosnia-Herzegovina to participate actively and constructively in these talks and to conclude and implement the constitutional arrangements being developed at the tripartite talks.

The Council calls upon all parties and others concerned to facilitate humanitarian assistance and cooperate so that deliveries of humanitarian assistance reach their destination.

The Council has decided to remain actively seized of the matter, and to continue its consideration of the further contribution that the Security Council can make to the restoration of peace and security in Bosnia-Herzegovina.

RESOLUTION 752 (1992)
15 May 1992

Adopted, as orally revised in its provisional form, by unanimous vote.

Sponsors: Belgium, France and the United Kingdom of Great Britain and Northern Ireland.

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724 (1991) of 15 December 1991, 727 (1992) of 8 January 1992, 740 (1992) of 7 February 1992, 743 (1992) of 21 February 1992 and 749 (1992) of 7 April 1992,

Expressing its appreciation for the reports of the Secretary-General of 24 April 1992 (S/23836) and 12 May 1992 (S/23900) pursuant to resolution 749 (1992),

Deeply concerned about the serious situation in certain parts of the former Socialist Federal Republic of Yugoslavia, and in particular about the rapid and violent deterioration of the situation in Bosnia-Herzegovina,

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling also the provisions of Chapter VIII of the Charter of the United Nations, and the continuing role that the European Community is playing in achieving a peaceful solution in Bosnia-Herzegovina, as well as in other republics of the former Socialist Federal Republic of Yugoslavia,

Having considered the announcement in Belgrade on 4 May 1992 described in paragraph 24 of the report of the Secretary-General of 12 May 1992 concerning the withdrawal of Yugoslav People's Army (JNA) personnel from republics other than Serbia and Montenegro and the renunciation of authority over those who remain,

Noting the urgent need for humanitarian assistance and the various appeals made in this connection, in particular by the President of Bosnia-Herzegovina,

Deploring the tragic incident on 4 May 1992 which caused the death of a member of the European Community Monitoring Mission,

Deeply concerned about the safety of United Nations personnel in Bosnia-Herzegovina,

1. Demands that all parties and others concerned in Bosnia-Herzegovina stop the fighting immediately, respect immediately and fully the cease-fire signed on 12 April 1992, and cooperate with the efforts of the European Community to bring about urgently a negotiated political solution respecting the principle that any change of borders by force is not acceptable;

2. *Welcomes* the efforts undertaken by the European Community in the framework of the discussions on constitutional arrangements for Bosnia-Herzegovina under the auspices of the Conference on Yugoslavia, ***urges*** that the discussions be resumed without delay, and ***urges*** the three communities in Bosnia-Herzegovina to participate actively and constructively in these discussions on a continuous basis as recommended by the Secretary-General and to conclude and implement the constitutional arrangements being developed at the tripartite talks;

3. *Demands* that all forms of interference from outside Bosnia-Herzegovina, including by units of the Yugoslav People's Army (JNA) as well as elements of the Croatian Army, cease immediately, and that Bosnia-Herzegovina's neighbours take swift action to end such interference and respect the territorial integrity of Bosnia-Herzegovina;

4. *Demands* that those units of the Yugoslav People's Army (JNA) and elements of the Croatian Army now in Bosnia-Herzegovina must either be withdrawn, or be subject to the authority of the Government of Bosnia-Herzegovina, or be disbanded and disarmed with their weapons placed under effective international monitoring, and ***requests*** the Secretary-General to consider without delay what international assistance could be provided in this connection;

5. *Demands also* that all irregular forces in Bosnia-Herzegovina be disbanded and disarmed;

6. *Calls upon* all parties and others concerned to ensure that forcible expulsions of persons from the areas where they live and any attempts to change the ethnic composition of the population, anywhere in the former Socialist Federal Republic of Yugoslavia, cease immediately;

7. *Emphasizes* the urgent need for humanitarian assistance, material and financial, taking into account the large number of refugees and displaced persons and ***fully supports*** the current efforts to deliver humanitarian aid to all the victims of the conflict and to assist in the voluntary return of displaced persons to their homes;

8. *Calls* on all parties and others concerned to ensure that conditions are established for the effective and unhindered delivery of humanitarian assistance, including safe and secure access to airports in Bosnia-Herzegovina;

9. *Requests* the Secretary-General to keep under active review the feasibility of protecting international humanitarian relief programmes, including the option mentioned in paragraph 29 of his report of 12 May 1992, and of ensuring safe and secure access to Sarajevo airport, and to report to the Security Council by 26 May 1992;

10. *Further requests* the Secretary-General, having regard to the evolution of the situation and to the results of the efforts undertaken by the European Community, to continue to keep under review the possibility of deploying a peace-keeping mission in Bosnia-Herzegovina under the auspices of the United Nations;

11. *Demands* that all parties and others concerned cooperate fully with UNPROFOR and the European Community Monitoring Mission, and respect fully their freedom of movement and the safety of their personnel;

12. *Notes* the progress made thus far in the deployment of UNPROFOR, ***welcomes*** the fact that UNPROFOR has assumed the full responsibility called for by its mandate in Eastern Slavonia, and ***requests*** the Secretary-General to ensure that UNPROFOR will assume its full responsibilities in all the United Nations Protected Areas (UNPAs) as soon as possible and to encourage all parties and others concerned to resolve any problems remaining in this connection;

13. *Urges* all parties and others concerned to cooperate in every way with UNPROFOR in accordance with the United Nations plan and to comply strictly with the plan in all its aspects, in particular the disarming of all irregular forces, whatever their origin, in the UNPAs;

14. Decides to remain actively seized of the matter and to consider further steps to achieve a peaceful solution in conformity with relevant resolutions of the Council.

RESOLUTION 753 (1992)
18 May 1992

Adopted, in accordance with the understanding reached in prior consultations among members of the Council and upon a proposal by the President, without a vote.

The Security Council,

Having examined the application of the Republic of Croatia for admission to the United Nations (S/23884),

Recommends to the General Assembly that the Republic of Croatia be admitted to membership in the United Nations.

STATEMENT BY THE PRESIDENT
18 May 1992

At the 3076th meeting of the Security Council, held on 18 May 1992, in connection with the Council's consideration of the item "Admission of new Members", the President of the Security Council made the following statement on behalf of the members:

It is a privilege for me, on behalf of the members of the Security Council, to congratulate the Republic of Croatia on the decision which the Council has just taken, namely to recommend to the General Assembly the admission of the Republic of Croatia to membership in the United Nations.

Croatia's solemn commitment to uphold the purposes and principles of the Charter of the United Nations, which include the principles relating to the peaceful settlement of disputes and the non-use of force, and to fulfil all the obligations contained in the Charter is noted with great satisfaction by the members of the Council.

The members of the Council are confident that Croatia will contribute fully and effectively in all areas of the Organization's activities.

RESOLUTION 754 (1992)
18 May 1992

Adopted, in accordance with the understanding reached in prior consultations among members of the Council and upon a proposal by the President, without a vote.

The Security Council,

Having examined the application of the Republic of Slovenia for admission to the United Nations (S/23885),

Recommends to the General Assembly that the Republic of Slovenia be admitted to membership in the United Nations.

STATEMENT BY THE PRESIDENT
18 May 1992

At the 3077th meeting of the Security Council, held on 18 May 1992, in connection with the Council's consideration of the item "Admission of new Members", the President of the Security Council made the following statement on behalf of the members:

I am pleased, on behalf of the members of the Council, to extend our congratulations to the Republic of Slovenia on the occasion of the Council's recommendation to the General Assembly that Slovenia be admitted to membership in the United Nations.

We note with great satisfaction Slovenia's solemn commitment to uphold the purposes and principles of the Charter of the United Nations, which include the principles relating to the peaceful settlement of disputes and the non-use of force, and to fulfil all the obligations contained in the Charter.

All the members of the Council are confident that Slovenia will make a significant contribution to the work of the Organization.

RESOLUTION 755 (1992)
20 May 1992

Adopted, in accordance with the understanding reached in prior consultations among members of the Council and upon a proposal by the President, without a vote.

The Security Council,

Having examined the application of the Republic of Bosnia and Herzegovina for admission to the United Nations (S/23971),

Recommends to the General Assembly that the Republic of Bosnia and Herzegovina be admitted to membership in the United Nations.

STATEMENT BY THE PRESIDENT
20 May 1992

At the 3079th meeting of the Security Council, held on 20 May 1992, in connection with the Council's consideration of the item "Admission of new Members", the President of the Security Council made the following statement on behalf of the members:

I am pleased, on behalf of the members of the Council, to extend our congratulations to the Republic of Bosnia and Herzegovina on the occasion of the Council's recommendation to the General Assembly that Bosnia and Herzegovina be admitted to membership in the United Nations.

We note with great satisfaction Bosnia and Herzegovina's solemn commitment to uphold the purposes and principles of the Charter of the United Nations, which include the principles relating to the peaceful settlement of disputes and the non-use of force, and to fulfil all the obligations contained in the Charter.

All the members of the Council are confident that Bosnia and Herzegovina will make a significant contribution to the work of the Organization.

On 22 May 1992, the United Nations General Assembly, by its resolutions 46/236, 46/237 and 46/238 adopted by acclamation, decided to admit the Republic of Slovenia, the Republic of Bosnia and Herzegovina, and the Republic of Croatia to membership in the United Nations.

RESOLUTION 757 (1992)
30 May 1992

Adopted by a vote of 13 in favour, 0 against and 2 abstentions (China and Zimbabwe).

Sponsors: Belgium, France, Hungary, Morocco, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724 (1991) of 15 December 1991, 727 (1992) of 8 January 1992, 740 (1992) of 7 February 1992, 743 (1992) of 21 February 1992, 749 (1992) of 7 April 1992 and 752 (1992) of 15 May 1992,

Noting that in the very complex context of events in the former Socialist Federal Republic of Yugoslavia all parties bear some responsibility for the situation,

Reaffirming its support for the Conference on Yugoslavia, including the efforts undertaken by the European Community in the framework of the discussions on constitutional arrangements for Bosnia and Herzegovina, and ***recalling*** that no territorial gains or changes brought about by violence are acceptable and that the borders of Bosnia and Herzegovina are inviolable,

Deploring the fact that the demands in resolution 752 (1992) have not been complied with, including its demands:

- that all parties and others concerned in Bosnia and Herzegovina stop the fighting immediately,
- that all forms of interference from outside Bosnia and Herzegovina cease immediately,
- that Bosnia and Herzegovina's neighbours take swift action to end all interference and respect the territorial integrity of Bosnia and Herzegovina,
- that action be taken as regards units of the Yugoslav People's Army (JNA) in Bosnia and Herzegovina, including the disbanding and disarming with weapons placed under effective international monitoring of any units that are neither withdrawn nor placed under the authority of the Government of Bosnia and Herzegovina,

– that all irregular forces in Bosnia and Herzegovina be disbanded and disarmed,

Deploring further that its call for the immediate cessation of forcible expulsions and attempts to change the ethnic composition of the population has not been heeded, and ***reaffirming*** in this context the need for the effective protection of human rights and fundamental freedoms, including those of ethnic minorities,

Dismayed that conditions have not yet been established for the effective and unhindered delivery of humanitarian assistance, including safe and secure access to and from Sarajevo and other airports in Bosnia and Herzegovina,

Deeply concerned that those United Nations Protection Force (UNPROFOR) personnel remaining in Sarajevo have been subjected to deliberate mortar and small-arms fire, and that the United Nations military observers deployed in the Mostar region have had to be withdrawn,

Deeply concerned also at developments in Croatia, including persistent cease-fire violations and the continued expulsion of non-Serb civilians, and at the obstruction of and lack of cooperation with UNPROFOR in other parts of Croatia,

Deploring the tragic incident on 18 May 1992 which caused the death of a member of the ICRC team in Bosnia and Herzegovina,

Noting that the claim by the Federal Republic of Yugoslavia (Serbia and Montenegro) to continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations has not been generally accepted,

Expressing its appreciation for the report of the Secretary-General of 26 May 1992 (S/24000) pursuant to resolution 752 (1992),

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling also the provisions of Chapter VIII of the Charter of the United Nations, and the continuing role that the European Community is playing in working for a peaceful solution in Bosnia and Herzegovina, as well as in other republics of the former Socialist Federal Republic of Yugoslavia,

Recalling its decision in resolution 752 (1992) to consider further steps to achieve a peaceful solution in conformity with relevant resolutions of the Council, and ***affirming*** its determination to take measures against any party or parties which fail to fulfil the requirements of resolution 752 (1992) and its other relevant resolutions,

Determined in this context to adopt certain measures with the sole objective of achieving a peaceful solution and encouraging the efforts undertaken by the European Community and its member States,

Recalling the right of States, under Article 50 of the Charter, to consult the Security Council where they find themselves confronted with special economic problems arising from the carrying out of preventive or enforcement measures,

Determining that the situation in Bosnia and Herzegovina and in other parts of the former Socialist Federal Republic of Yugoslavia constitutes a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. Condemns the failure of the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro), including the Yugoslav People's Army (JNA), to take effective measures to fulfil the requirements of resolution 752 (1992);

2. Demands that any elements of the Croatian Army still present in Bosnia and Herzegovina act in accordance with paragraph 4 of resolution 752 (1992) without further delay;

3. Decides that all States shall adopt the measures set out below, which shall apply until the Security Council

decides that the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro), including the Yugoslav People's Army (JNA), have taken effective measures to fulfil the requirements of resolution 752 (1992);

4. Decides that all States shall prevent:

(a) The import into their territories of all commodities and products originating in the Federal Republic of Yugoslavia (Serbia and Montenegro) exported therefrom after the date of the present resolution;

(b) Any activities by their nationals or in their territories which would promote or are calculated to promote the export or transshipment of any commodities or products originating in the Federal Republic of Yugoslavia (Serbia and Montenegro); and any dealings by their nationals or their flag vessels or aircraft or in their territories in any commodities or products originating in the Federal Republic of Yugoslavia (Serbia and Montenegro) and exported therefrom after the date of the present resolution, including in particular any transfer of funds to the Federal Republic of Yugoslavia (Serbia and Montenegro) for the purposes of such activities or dealings;

(c) The sale or supply by their nationals or from their territories or using their flag vessels or aircraft of any commodities or products, whether or not originating in their territories, but not including supplies intended strictly for medical purposes and foodstuffs notified to the Committee established pursuant to resolution 724 (1991), to any person or body in the Federal Republic of Yugoslavia (Serbia and Montenegro) or to any person or body for the purposes of any business carried on in or operated from the Federal Republic of Yugoslavia (Serbia and Montenegro), and any activities by their nationals or in their territories which promote or are calculated to promote such sale or supply of such commodities or products;

5. Decides that all States shall not make available to the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) or to any commercial, industrial or public utility undertaking in the Federal Republic of Yugoslavia (Serbia and Montenegro), any funds or any other financial or economic resources and shall prevent their nationals and any persons within their territories from removing from their territories or otherwise making available to those authorities or to any such undertaking any such funds or resources and from remitting any other funds to persons or bodies within the Federal Republic of Yugoslavia (Serbia and Montenegro), except payments exclusively for strictly medical or humanitarian purposes and foodstuffs;

6. Decides that the prohibitions in paragraphs 4 and 5 above shall not apply to the transshipment through the Federal Republic of Yugoslavia (Serbia and Montenegro) of commodities and products originating outside the Federal Republic of Yugoslavia (Serbia and Montenegro) and temporarily present in the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) only for the purpose of such transshipment, in accordance with guidelines approved by the Committee established by resolution 724 (1991);

7. Decides that all States shall:

(a) Deny permission to any aircraft to take off from, land in or overfly their territory if it is destined to land in or has taken off from the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro), unless the particular flight has been approved, for humanitarian or other purposes consistent with the relevant resolutions of the Council, by the Committee established by resolution 724 (1991);

(b) Prohibit, by their nationals or from their territory, the provision of engineering and maintenance servicing of aircraft registered in the Federal Republic of Yugoslavia (Serbia and Montenegro) or operated by or on behalf of entities in the Federal Republic of Yugoslavia (Serbia and Montenegro) or components for such aircraft, the certification of airworthiness for such aircraft, and the payment of new claims against existing insurance contracts and the provision of new direct insurance for such aircraft;

8. Decides that all States shall:

(a) Reduce the level of the staff at diplomatic missions and consular posts of the Federal Republic of Yugoslavia (Serbia and Montenegro);

(b) Take the necessary steps to prevent the participation in sporting events on their territory of persons or groups representing the Federal Republic of Yugoslavia (Serbia and Montenegro);

(c) Suspend scientific and technical cooperation and cultural exchanges and visits involving persons or groups officially sponsored by or representing the Federal Republic of Yugoslavia (Serbia and Montenegro);

9. Decides that all States, and the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro), shall take the necessary measures to ensure that no claim shall lie at the instance of the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro), or of any person or body in the Federal Republic of Yugoslavia (Serbia and Montenegro), or of any person claiming through or for the benefit of any such person or body, in connection with any contract or other transaction where its performance was affected by reason of the measures imposed by this resolution and related resolutions;

10. Decides that the measures imposed by this resolution shall not apply to activities related to UNPROFOR, to the Conference on Yugoslavia or to the European Community Monitoring Mission, and that States, parties and others concerned shall cooperate fully with UNPROFOR, the Conference on Yugoslavia and the European Community Monitoring Mission and respect fully their freedom of movement and the safety of their personnel;

11. Calls upon all States, including States not members of the United Nations, and all international organizations, to act strictly in accordance with the provisions of the present resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of the present resolution;

12. Requests all States to report to the Secretary-General by 22 June 1992 on the measures they have instituted for meeting the obligations set out in paragraphs 4 to 9 above;

13. Decides that the Committee established by resolution 724 (1991) shall undertake the following tasks additional to those in respect of the arms embargo established by resolutions 713 (1991) and 727 (1992):

(a) To examine the reports submitted pursuant to paragraph 12 above;

(b) To seek from all States further information regarding the action taken by them concerning the effective implementation of the measures imposed by paragraphs 4 to 9 above;

(c) To consider any information brought to its attention by States concerning violations of the measures imposed by paragraphs 4 to 9 above and, in that context, to make recommendations to the Council on ways to increase their effectiveness;

(d) To recommend appropriate measures in response to violations of the measures imposed by paragraphs 4 to 9 above and provide information on a regular basis to the Secretary-General for general distribution to Member States;

(e) To consider and approve the guidelines referred to in paragraph 6 above;

(f) To consider and decide upon expeditiously any applications for the approval of flights for humanitarian or other purposes consistent with the relevant resolutions of the Council in accordance with paragraph 7 above;

14. Calls upon all States to cooperate fully with the Committee in the fulfilment of its tasks, including supplying such information as may be sought by the Committee in pursuance of the present resolution;

15. Requests the Secretary-General to report to the Security Council, not later than 15 June 1992 and earlier if he considers it appropriate, on the implementation of resolution 752 (1992) by all parties and others concerned;

16. Decides to keep under continuous review the measures imposed by paragraphs 4 to 9 above with a view to considering whether such measures might be suspended or terminated following compliance with the requirements of resolution 752 (1992);

17. Demands that all parties and others concerned create immediately the necessary conditions for unimpeded delivery of humanitarian supplies to Sarajevo and other destinations in Bosnia and Herzegovina, including the establishment of a security zone encompassing Sarajevo and its airport and respecting the agreements signed in Geneva on 22 May 1992;

18. Requests the Secretary-General to continue to use his good offices in order to achieve the objectives contained in paragraph 17 above, and ***invites*** him to keep under continuous review any further measures that may become necessary to ensure unimpeded delivery of humanitarian supplies;

19. Urges all States to respond to the Revised Joint Appeal for humanitarian assistance of early May 1992 issued by the United Nations High Commissioner for Refugees, UNICEF and the World Health Organization;

20. Reiterates the call in paragraph 2 of resolution 752 (1992) that all parties continue their efforts in the framework of the Conference on Yugoslavia and that the three communities in Bosnia and Herzegovina resume their discussions on constitutional arrangements for Bosnia and Herzegovina;

21. Decides to remain actively seized of the matter and to consider immediately, whenever necessary, further steps to achieve a peaceful solution in conformity with relevant resolutions of the Council.

RESOLUTION 758 (1992)
8 June 1992

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724 (1991) of 15 December 1991, 727 (1992) of 8 January 1992, 740 (1992) of 7 February 1992, 743 (1992) of 21 February 1992, 749 (1992) of 7 April 1992, 752 (1992) of 15 May 1992 and 757 (1992) of 30 May 1992,

Noting that the Secretary-General has secured the evacuation of the Marshal Tito barracks in Sarajevo,

Noting also the agreement of all the parties in Bosnia and Herzegovina to the reopening of Sarajevo airport for humanitarian purposes, under the exclusive authority of the United Nations, and with the assistance of the United Nations Protection Force (UNPROFOR),

Noting further that the reopening of Sarajevo airport for humanitarian purposes would constitute a first step in establishing a security zone encompassing Sarajevo and its airport,

Deploring the continuation of the fighting in Bosnia and Herzegovina which is rendering impossible the distribution of humanitarian assistance in Sarajevo and its environs,

Stressing the imperative need to find an urgent negotiated political solution for the situation in Bosnia and Herzegovina,

1. Approves the report of the Secretary-General of 6 June 1992 (S/24075) submitted in accordance with paragraphs 17 and 18 of resolution 757 (1992);

2. Decides to enlarge the mandate and strength of UNPROFOR, established under resolution 743 (1992), in accordance with the Secretary-General's report;

3. Authorizes the Secretary-General to deploy, when

he judges it appropriate, the military observers and related personnel and equipment required for the activities referred to in paragraph 5 of his report;

4. Requests the Secretary-General to seek Security Council authorization for the deployment of the additional elements of UNPROFOR, after he has reported to the Council that all the conditions necessary for them to carry out the mandate approved by the Security Council, including an effective and durable cease-fire, have been fulfilled;

5. Strongly condemns all those parties and others concerned that are responsible for violations of the cease-fire reaffirmed in paragraph 1 of the agreement of 5 June 1992 annexed to the Secretary-General's report;

6. Calls upon all parties and others concerned to comply fully with the above-mentioned agreement and in particular to respect strictly the cease-fire reaffirmed in paragraph 1 thereof;

7. Demands that all parties and others concerned cooperate fully with UNPROFOR and international humanitarian agencies and take all necessary steps to ensure the safety of their personnel;

8. Demands that all parties and others concerned create immediately the necessary conditions for unimpeded delivery of humanitarian supplies to Sarajevo and other destinations in Bosnia and Herzegovina, including the establishment of a security zone encompassing Sarajevo and its airport and respecting the agreements signed in Geneva on 22 May 1992;

9. Requests the Secretary-General to continue to use his good offices in order to achieve the objectives contained in paragraph 8 above, and ***invites*** him to keep under continuous review any further measures that may become necessary to ensure unimpeded delivery of humanitarian supplies;

10. Requests the Secretary-General to report to the Security Council on his efforts no later than seven days after the adoption of this resolution;

11. Decides to remain actively seized of the matter.

RESOLUTION 760 (1992)
18 June 1992

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Recalling its resolutions 752 (1992) of 15 May 1992, 757 (1992) of 30 May 1992 and 758 (1992) of 8 June 1992, and in particular paragraph 7 of resolution 752 (1992), in which it emphasized the urgent need for humanitarian assistance and fully supported the current efforts to deliver humanitarian aid to all the victims of the conflict,

Acting under Chapter VII of the Charter of the United Nations,

Decides that the prohibitions in paragraph 4 (c) of resolution 757 (1992) concerning the sale or supply to the Federal Republic of Yugoslavia (Serbia and Montenegro) of commodities or products, other than medical supplies and foodstuffs, and the prohibitions against financial transactions related thereto, contained in resolution 757 (1992) shall not apply, with the approval of the Committee established by resolution 724 (1991) under the simplified and accelerated "no objection" procedure, to commodities and products for essential humanitarian need.

RESOLUTION 761 (1992)
29 June 1992

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724

(1991) of 15 December 1991, 727 (1992) of 8 January 1992, 740 (1992) of 7 February 1992, 743 (1992) of 21 February 1992, 749 (1992) of 7 April 1992, 752 (1992) of 15 May 1992, 757 (1992) of 30 May 1992, 758 (1992) of 8 June 1992 and 760 (1992) of 18 June 1992,

Noting the considerable progress reported by the Secretary-General towards securing the evacuation of Sarajevo airport and its reopening by UNPROFOR and feeling the need to maintain this favourable momentum,

Underlining the urgency of a quick delivery of humanitarian assistance to Sarajevo and its environs,

1. Authorizes the Secretary-General to deploy immediately additional elements of the United Nations Protection Force (UNPROFOR) to ensure the security and functioning of Sarajevo airport and the delivery of humanitarian assistance in accordance with his report dated 6 June 1992 (S/24075);

2. Calls upon all parties and others concerned to comply fully with the agreement of 5 June 1992 and in particular to maintain an absolute and unconditional cease-fire;

3. Appeals to all sides to cooperate fully with UNPROFOR in the reopening of the airport, to exercise the utmost restraint and not to seek any military advantage in this situation;

4. Demands that all parties and others concerned cooperate fully with UNPROFOR and international humanitarian agencies and organizations and take all necessary steps to ensure the safety of their personnel; in the absence of such cooperation, the Security Council does not exclude other measures to deliver humanitarian assistance to Sarajevo and its environs;

5. Calls upon all States to contribute to the international humanitarian efforts in Sarajevo and its environs;

6. Decides to remain actively seized of the matter.

RESOLUTION 762 (1992)
30 June 1992

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724 (1991) of 15 December 1991, 727 (1992) of 8 January 1992, 740 (1992) of 7 February 1992, 743 (1992) of 21 February 1992, 749 (1992) of 7 April 1992, 752 (1992) of 15 May 1992, 757 (1992) of 30 May 1992, 758 (1992) of 8 June 1992, 760 (1992) of 18 June 1992 and 761 (1992) of 29 June 1992,

Noting the report of the Secretary-General of 26 June 1992 submitted pursuant to resolution 752 (1992) (S/24188),

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Welcoming the progress made as a result of the assumption of responsibilities by the United Nations Protection Force in Sectors East and West, and concerned about the difficulties encountered by the Force in Sectors North and South,

Commending again the efforts undertaken by the European Community and its member States, with the support of the States participating in the Conference on Security and Cooperation in Europe, through the convening of a Conference on Yugoslavia, including the mechanisms set forth within it, to ensure a peaceful political settlement,

1. Approves the report of the Secretary-General of 26 June 1992 (S/24188);

2. Urges all parties and others concerned to honour their commitments to effect a complete cessation of hostilities and to implement the United Nations peace-keeping plan;

3. *Also urges,* in accordance with paragraph 4 of resolution 727 (1992), the Government of Croatia to withdraw its army to the positions held before the offensive of 21 June 1992 and to cease hostile military activities within or adjacent to the United Nations Protected Areas;

4. *Urges* the remaining units of the Yugoslav People's Army, the Serb territorial defence forces in Croatia and others concerned to comply strictly with their obligations under the United Nations peace-keeping plan, in particular with regard to the withdrawal and the disarming of all forces in accordance with the plan;

5. *Urges* the Government of Croatia and others concerned to follow the course of action outlined in paragraph 16 of the Secretary-General's report and appeals to all parties to assist the United Nations Protection Force in its implementation;

6. *Recommends* the establishment of the Joint Commission described in paragraph 16 of the Secretary-General's report, which should consult, as may be necessary or appropriate, with the Belgrade authorities in performing its functions;

7. *Authorizes* the strengthening of the United Nations Protection Force by the addition of up to sixty military observers and one hundred and twenty civilian police to perform the functions envisaged in paragraph 16 of the Secretary-General's report, with the agreement of the Government of Croatia and others concerned;

8. *Reaffirms* the embargo applied in paragraph 6 of resolution 713 (1991), paragraph 5 of resolution 724 (1991) and paragraph 6 of resolution 727 (1992);

9. *Supports* the views expressed in paragraph 18 of the Secretary-General's report about the grave consequences which the collapse of the United Nations peace-keeping plan would have throughout the region;

10. *Encourages* the Secretary-General to pursue his efforts to fulfil as soon as possible the terms of paragraph 12 of resolution 752 (1992);

11. *Calls again upon* all parties concerned to cooperate fully with the Conference on Yugoslavia and its aim of reaching a political settlement consistent with the principles of the Conference on Security and Cooperation in Europe and reaffirms that the United Nations peace-keeping plan and its implementation is in no way intended to prejudge the terms of a political settlement;

12. *Decides* to remain actively seized of the matter until a peaceful solution is achieved.

RESOLUTION 764 (1992)
13 July 1992

Adopted, as orally corrected, by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724 (1991) of 15 December 1991, 727 (1992) of 8 January 1992, 740 (1992) of 7 February 1992, 743 (1992) of 21 February 1992, 749 (1992) of 7 April 1992, 752 (1992) of 15 May 1992, 757 (1992) of 30 May 1992, 758 (1992) of 8 June 1992, 760 (1992) of 18 June 1992, 761 (1992) of 29 June 1992 and 762 (1992) of 30 June 1992,

Noting with appreciation the further report of the Secretary-General (S/24263 and Add.1),

Disturbed by the continuing violation of the Sarajevo airport agreement of 5 June 1992, in which the parties agreed, *inter alia*:

- that all anti-aircraft weapon systems would be withdrawn from position from which they could engage the airport and its air approaches;
- that all artillery, mortar, ground-to-ground missile systems and tanks within the range of the airport would be concentrated in areas agreed by the United Nations Protection Force (UNPROFOR) and subject to UNPROFOR observation at the firing line;

– to establish security corridors between the airport and the city, under UNPROFOR's control, to ensure the safe movement of humanitarian aid and related personnel;

Deeply concerned about the safety of UNPROFOR personnel,

Cognizant of the magnificent work being done in Sarajevo by UNPROFOR and its leadership, despite the conditions of great difficulty and danger,

Aware of the enormous difficulties in the evacuation by air of cases of special humanitarian concern,

Deeply disturbed by the situation which now prevails in Sarajevo and by many reports and indications of deteriorating conditions throughout Bosnia and Herzegovina,

Commending the determination and courage of all those who are participating in the humanitarian effort,

Deploring the continuation of the fighting in Bosnia and Herzegovina which is rendering difficult the provision of humanitarian assistance in Sarajevo and its environs, as well as in other areas of the Republic,

Noting that the reopening of Sarajevo airport for humanitarian purposes constitutes a first step in establishing a security zone encompassing Sarajevo and its airport,

Recalling the obligations under international humanitarian law, in particular the Geneva Conventions of 12 August 1949,

Stressing once again the imperative need to find an urgent negotiated political solution for the situation in Bosnia and Herzegovina,

1. Approves the report of the Secretary-General of 10 July 1992 (S/24263);

2. Authorizes the Secretary-General to deploy immediately additional elements of the United Nations Protection Force (UNPROFOR) to ensure the security and functioning of Sarajevo airport and the delivery of humanitarian assistance, in accordance with paragraph 12 of his report dated 10 July 1992 (S/24263);

3. Reiterates its call on all parties and others concerned to comply fully with the agreement of 5 June 1992, and to cease immediately any hostile military activity in Bosnia and Herzegovina;

4. Commends the untiring efforts and the bravery of UNPROFOR for its role in securing humanitarian relief in Sarajevo and its environs;

5. Demands that all parties and others concerned cooperate fully with UNPROFOR and international humanitarian agencies to facilitate the evacuation by air of cases of special humanitarian concern;

6. Calls on all parties and others concerned to cooperate with UNPROFOR and international humanitarian agencies to facilitate the provision of humanitarian aid to other areas of Bosnia and Herzegovina which remain in desperate need of assistance;

7. Reiterates its demand that all parties and others concerned take the necessary measures to secure the safety of UNPROFOR personnel;

8. Calls again on all parties concerned to resolve their differences through a negotiated political solution to the problems in the region and to that end to cooperate with the renewed efforts of the European Community and its member States, with the support of the States participating in the Conference on Security and Cooperation in Europe (CSCE), within the framework of the Conference on Yugoslavia, and in particular to respond positively to the invitation of the Chairman of the Conference to talks on 15 July 1992;

9. Requests the Secretary-General to keep close contact with the developments within the framework of the Conference on Yugoslavia and to assist in finding a negotiated political solution for the conflict in Bosnia and Herzegovina;

10. Reaffirms that all parties are bound to comply with

the obligations under international humanitarian law and in particular the Geneva Conventions of 12 August 1949, and that persons who commit or order the commission of grave breaches of the Conventions are individually responsible in respect of such breaches;

11. Requests the Secretary-General to keep under continuous review any further measure that may be required to ensure unimpeded delivery of humanitarian assistance;

12. Decides to remain actively seized of the matter.

STATEMENT BY THE PRESIDENT
17 July 1992

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3097th meeting, on 17 July 1992, in connection with the Council's consideration of the item entitled:

"Letter dated 11 July 1992 from the Minister for Foreign Affairs of Croatia addressed to the President of the Security Council (S/24264)

"Letter dated 12 July 1992 from the Minister for Foreign Affairs of Croatia addressed to the President of the Security Council (S/24265)

"Letter dated 13 July 1992 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the President of the Security Council (S/24266)

"Letter dated 13 July 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Slovenia to the United Nations addressed to the President of the Security Council (S/24270)

"Letter dated 17 July 1992 from the Permanent Representatives of Belgium, France and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/24305)".

The Security Council welcomes the agreement between the parties in Bosnia and Herzegovina, signed at London on 17 July 1992 within the framework of the Conference on Yugoslavia (S/24305).

The Council calls on the parties to comply fully with the agreement in all its aspects. In particular, it calls on all parties and others concerned to observe scrupulously the cease-fire throughout the entire territory of Bosnia and Herzegovina.

The Council has decided in principle to respond positively to the request for the United Nations to make arrangements for the supervision by the United Nations Protection Force (UNPROFOR) of all heavy weapons (combat aircraft, armour, artillery, mortars, rocket-launchers, etc.) in accordance with the agreement of 17 July 1992. It calls on the parties to declare immediately to the Force Commander of UNPROFOR the locations and quantities of the heavy weapons to be placed under supervision. It requests the Secretary-General to report by 20 July on the implementation and resource implications of this decision.

The Council welcomes the provisions in the agreement concerning the return of all refugees and freedom of movement for civilians caught up in or trapped by the military situation. It also welcomes the efforts being made to mobilize international assistance in handling the refugee problem under the aegis of UNHCR. It invites the Secretary-General and the United Nations humanitarian agencies concerned to make the maximum use of the cease-fire now proclaimed to bring humanitarian relief and supplies to all parts of Bosnia and Herzegovina.

The Council expresses its satisfaction that the talks on future constitutional arrangements for Bosnia and Herzegovina are to resume in London on 27 July 1992, and urges all the parties to contribute actively and positively to these talks so that a peaceful solution is achieved as soon as possible.

The Council stresses the need for full compliance with all the requirements of the relevant resolutions of the Council towards which the agreement reached in London on 17 July 1992 is an important step. It reaffirms its decision to remain actively seized of the matter and to consider immediately, whenever necessary, further steps to achieve a peaceful solution in conformity with those resolutions.

STATEMENT BY THE PRESIDENT
24 July 1992

Following consultations with the members of the Security Council,

the President of the Council made the following statement, on behalf of the Council, at its 3100th meeting, on 24 July 1992, in connection with the Council's consideration of the item entitled "Report of the Secretary-General on the situation in Bosnia and Herzegovina (S/24333)":

The Security Council recalls the statement of its President of 17 July 1992 (S/24307) concerning the Agreement signed in London on 17 July by the parties in Bosnia and Herzegovina (S/24305).

The Security Council takes note with appreciation of the Secretary-General's report (S/24333) submitted to it, in response to its request of 17 July 1992, together with a Concept of Operations.

The Council concurs with the Secretary-General's view that the conditions do not yet exist for the United Nations to supervise the heavy weapons in Bosnia and Herzegovina as envisaged in the London Agreement.

The Council invites the Secretary-General to contact all Member States, particularly the Member States of the relevant regional organizations in Europe, to ask them to make urgently available to the Secretary-General information about the personnel, equipment and logistic support which they would be prepared to contribute, individually or collectively, to the supervision of heavy weapons in Bosnia and Herzegovina as described in the Secretary-General's report.

In the light of the outcome of these contacts, the Secretary-General will undertake the further preparatory work needed on the supervision of the heavy weapons in Bosnia and Herzegovina.

Recalling the provisions of Chapter VIII of the United Nations Charter, the Council invites the European regional arrangements and agencies concerned, and particularly the European Community, to enhance their cooperation with the Secretary-General in their efforts to help to resolve the conflicts that continue to rage in the former Yugoslavia. In particular, it would welcome the participation of the Secretary-General in any negotiations under European Community auspices.

The Council further invites the European Community in cooperation with the Secretary-General of the United Nations to examine the possibility of broadening and intensifying the present Conference with a view to providing a new momentum in the search for negotiated settlements of the various conflicts and disputes in the former Yugoslavia.

The Council underlines the importance of the parties to the Agreement signed at London on 17 July 1992 (S/24305) honouring fully the terms of that Agreement and calls on others concerned also to respect the Agreement. It emphasizes in particular the need for the parties to respect and maintain a cease-fire throug. out the entire territory of Bosnia and Herzegovina, and for them to declare immediately to the Force Commander of UNPROFOR the locations and quantities of the heavy weapons to be placed under supervision. It further demands that the parties and others concerned cooperate fully with UNPROFOR and the humanitarian agencies and take all necessary steps to ensure the safety of their personnel.

The Council stresses the need for full compliance with all the requirements of its relevant resolutions and stands ready to consider immediately, whenever necessary, further steps to achieve a peaceful solution in conformity with its relevant resolutions.

The Council requests the Secretary-General to report back to it on the further work being undertaken and remains actively seized of the matter.

STATEMENT BY THE PRESIDENT
4 August 1992

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3103rd meeting, held on 4 August 1992, in connection with the Council's consideration of the item entitled:

"Letter dated 4 August 1992 from the Chargé d'affaires a.i. of the United States Mission to the United Nations addressed to the President of the Security Council (S/24376)

"Letter dated 4 August 1992 from the Permanent Representative of Venezuela to the United Nations addressed to the President of the Security Council (S/24377)".

The Security Council is deeply concerned at the continuing reports of widespread violations of international humanitarian law and in particular reports of the imprisonment and abuse of civilians in camps, prisons and detention centres within the territory of the former Yugoslavia and especially in Bosnia and Herzegovina. The Council condemns any such violations and abuses and demands that relevant international organizations, and in particular the International Committee of the Red Cross (ICRC), be granted immediate, unimpeded and continued access to all such places and calls upon all parties to do all in their power to facilitate such access. The Council further calls upon all parties, States, international organizations and non-governmental organizations to make immediately available to the Council any further information they might possess regarding these camps and access to them.

The Council reaffirms that all parties are bound to comply with the obligations under international humanitarian law and in particular the Geneva Conventions of 12 August 1949, and that persons who commit or order the commission of grave breaches of the Conventions are individually responsible in respect of such breaches.

The Council will remain actively seized of this issue.

STATEMENT BY THE PRESIDENT (to the press) 4 August 1992

After consultations held on 4 August 1992, the President of the Security Council made the following statement to the media on behalf of the members of the Council:

The members of the Security Council condemn the recent cowardly attack on UNPROFOR positions in Sarajevo resulting in loss of life and injuries among the Ukrainian servicemen. The members of the Council note that UNPROFOR has already commenced investigation of this incident.

The members of the Council express their condolences to the family of the officer killed and to the Government of Ukraine.

The members of the Council also express their condolences to the families of the two French officers of UNPROFOR killed in Croatia and to the Government of France.

The members of the Council call upon all parties to ensure that those responsible for these intolerable acts are quickly called to account.

The members of the Council reiterate their demand that all parties and others concerned take the necessary measures to secure the safety of UNPROFOR personnel.

RESOLUTION 769 (1992) 7 August 1992

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolution 743 (1992) and all subsequent resolutions relating to the United Nations Protection Force (UNPROFOR),

Having examined the report of the Secretary-General of 27 July 1992 (S/24353 and Add.1) in which the Secretary-General recommended certain enlargements in the mandate and strength of UNPROFOR,

Taking note of the letter dated 7 August 1992 from the Deputy Prime Minister of the Republic of Croatia to the President of the Security Council (S/24390, Annex),

1. Approves the Secretary-General's report;

2. Authorizes the enlargements of UNPROFOR's mandate and strength recommended by the Secretary-General in that report;

3. Reiterates its demand that all parties and others concerned cooperate with UNPROFOR in implementing the mandate entrusted to it by the Security Council;

4. *Condemns resolutely* the abuses committed against the civilian population, particularly on ethnic grounds, as referred to in paragraphs 14-16 of the above-mentioned report of the Secretary-General.

RESOLUTION 770 (1992)
13 August 1992

Adopted by a vote of 12 in favour, 0 against and 3 abstentions (China, India and Zimbabwe).

Sponsors: Belgium, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724 (1991) of 15 December 1991, 727 (1992) of 8 January 1992, 740 (1992) of 7 February 1992, 743 (1992) of 21 February 1992, 749 (1992) of 7 April 1992, 752 (1992) of 15 May 1992, 757 (1992) of 30 May 1992, 758 (1992) of 8 June 1992, 760 (1992) of 18 June 1992, 761 (1992) of 29 June 1992, 762 (1992) of 30 June 1992, 764 (1992) of 13 July 1992 and 769 (1992) of 7 August 1992,

Noting the letter dated 10 August 1992 from the Permanent Representative of the Republic of Bosnia and Herzegovina to the United Nations (S/24401),

Underlining once again the imperative need for an urgent negotiated political solution to the situation in the Republic of Bosnia and Herzegovina to enable that country to live in peace and security within its borders,

Reaffirming the need to respect the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Recognizing that the situation in Bosnia and Herzegovina constitutes a threat to international peace and security and that the provision of humanitarian assistance in Bosnia and Herzegovina is an important element in the Council's effort to restore international peace and security in the area,

Commending the United Nations Protection Force (UNPROFOR) for its continuing action in support of the relief operation in Sarajevo and other parts of Bosnia and Herzegovina,

Deeply disturbed by the situation that now prevails in Sarajevo, which has severely complicated UNPROFOR's efforts to fulfil its mandate to ensure the security and functioning of Sarajevo airport and the delivery of humanitarian assistance in Sarajevo and other parts of Bosnia and Herzegovina pursuant to resolutions 743 (1992), 749 (1992), 761 (1992) and 764 (1992) and the reports of the Secretary-General cited therein,

Dismayed by the continuation of conditions that impede the delivery of humanitarian supplies to destinations within Bosnia and Herzegovina and the consequent suffering of the people of that country,

Deeply concerned by reports of abuses against civilians imprisoned in camps, prisons and detention centres,

Determined to establish as soon as possible the necessary conditions for the delivery of humanitarian assistance wherever needed in Bosnia and Herzegovina, in conformity with resolution 764 (1992),

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* its demand that all parties and others concerned in Bosnia and Herzegovina stop the fighting immediately;

2. *Calls upon* States to take nationally or through regional agencies or arrangements all measures necessary to facilitate in coordination with the United Nations the delivery by relevant United Nations humanitarian organizations and others of humanitarian assistance to Sarajevo and wherever needed in other parts of Bosnia and Herzegovina;

3. *Demands* that unimpeded and continuous access to all camps, prisons and detention centres be granted immediately to the International Committee of the Red Cross and other relevant humanitarian organizations and that all detainees therein receive humane treatment, including adequate food, shelter and medical care;

4. *Calls upon* States to report to the Secretary-General on measures they are taking in coordination with the United Nations to carry out this resolution, and ***invites*** the Secretary-General to keep under continuous review any further measures that may be necessary to ensure unimpeded delivery of humanitarian supplies;

5. *Requests* all States to provide appropriate support for the actions undertaken in pursuance of this resolution;

6. *Demands* that all parties and others concerned take the necessary measures to ensure the safety of United Nations and other personnel engaged in the delivery of humanitarian assistance;

7. *Requests* the Secretary-General to report to the Council on a periodic basis on the implementation of this resolution;

8. *Decides* to remain actively seized of the matter.

RESOLUTION 771 (1992)
13 August 1992

Adopted by unanimous vote.

Sponsors: Belgium, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724 (1991) of 15 December 1991, 727 (1992) of 8 January 1992, 740 (1992) of 7 February 1992, 743 (1992) of 21 February 1992, 749 (1992) of 7 April 1992, 752 (1992) of 15 May 1992, 757 (1992) of 30 May 1992, 758 (1992) of 8 June 1992, 760 (1992) of 18 June 1992, 761 (1992) of 29 June 1992, 762 (1992) of 30 June 1992, 764 (1992) of 13 July 1992, 769 (1992) of 7 August 1992 and 770 (1992) of 13 August 1992,

Noting the letter dated 10 August 1992 from the Permanent Representative of the Republic of Bosnia and Herzegovina to the United Nations (S/24401),

Expressing grave alarm at continuing reports of widespread violations of international humanitarian law occurring within the territory of the former Yugoslavia and especially in Bosnia and Herzegovina including reports of mass forcible expulsion and deportation of civilians, imprisonment and abuse of civilians in detention centres, deliberate attacks on non-combatants, hospitals and ambulances, impeding the delivery of food and medical supplies to the civilian population, and wanton devastation and destruction of property,

Recalling the statement of the President of the Council of 4 August 1992 (S/24378),

1. *Reaffirms* that all parties to the conflict are bound to comply with their obligations under international humanitarian law and in particular the Geneva Conventions of 12 August 1949, and that persons who commit or order the commission of grave breaches of the Conventions are individually responsible in respect of such breaches;

2. *Strongly condemns* any violations of international humanitarian law, including those involved in the practice of "ethnic cleansing";

3. *Demands* that all parties and others concerned in the former Yugoslavia, and all military forces in Bosnia and Herzegovina, immediately cease and desist from all breaches of international humanitarian law including from actions such as those described above;

4. *Further demands* that relevant international humanitarian organizations, and in particular the International Committee of the Red Cross, be granted immediate,

unimpeded and continued access to camps, prisons and detention centres within the territory of the former Yugoslavia and **calls upon** all parties to do all in their power to facilitate such access;

5. Calls upon States and, as appropriate, international humanitarian organizations to collate substantiated information in their possession or submitted to them relating to the violations of humanitarian law, including grave breaches of the Geneva Conventions, being committed in the territory of the former Yugoslavia and to make this information available to the Council;

6. Requests the Secretary-General to collate the information submitted to the Council under paragraph 5 and to submit a report to the Council summarizing the information and recommending additional measures that might be appropriate in response to the information;

7. Decides, acting under Chapter VII of the Charter of the United Nations, that all parties and others concerned in the former Yugoslavia, and all military forces in Bosnia and Herzegovina, shall comply with the provisions of the present resolution, failing which the Council will need to take further measures under the Charter;

8. Decides to remain actively seized of the matter.

STATEMENT BY THE PRESIDENT
2 September 1992

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council at its 3111th meeting, on 2 September 1992, in connection with the Council's consideration of the item entitled "Letter dated 28 August 1992 from the Secretary-General addressed to the President of the Security Council":

The Security Council takes note with appreciation of the letter of the Secretary-General, dated 28 August 1992, conveying the documents of the London stage of the International Conference on the former Yugoslavia, held on 26 and 27 August 1992, which the Secretary-General co-chaired with the Prime Minister of the United Kingdom of Great Britain and Northern Ireland, President of the Council of Ministers of the European Community.

The Council expresses its full support for the Statement of Principles adopted and the other agreements reached at the London Conference.

The Council shares the Secretary-General's hope that the political will shown in London will speedily be transformed into the concrete actions foreseen in the documents of the London stage of the International Conference on the former Yugoslavia.

The Council reaffirms all its previous resolutions related to the former Yugoslavia and calls for their complete implementation.

The Council notes with satisfaction that the London stage of the International Conference has established the framework within which an overall political settlement of the crisis in the former Yugoslavia in all its aspects may be achieved through a continuous and uninterrupted effort.

The Council welcomes the establishment, under the overall direction of the Permanent Co-Chairmen of the Conference, of the Steering Committee. It also welcomes the appointment of the two Co-Chairmen of the Steering Committee who will direct the Working Groups and prepare the basis for a general settlement and associated measures. It notes with satisfaction that they will commence their work this week which will be pursued in continuous session at the United Nations Office in Geneva.

The Council notes the commitments entered into by the parties and others concerned within the framework of the London Conference. It underlines the importance it attaches to the full implementation of these commitments as rapidly as possible.

The Council notes the urgency of the situation in Bosnia and Herzegovina and calls on the parties to cooperate

fully with the Co-Chairmen of the Steering Committee in achieving a comprehensive settlement.

The Council requests the Secretary-General to keep it informed on an ongoing basis of developments and to make recommendations to the Council as may be appropriate.

STATEMENT BY THE PRESIDENT
9 September 1992

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3113th meeting, on 9 September 1992, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

The Security Council has noted with deep concern the attack which cost the lives of two French soldiers of UNPROFOR near Sarajevo, during which five other soldiers were wounded. It conveys its deep-felt sympathy and condolences to the Government of France and to the bereaved families. It strongly condemns this deliberate attack against UNPROFOR personnel.

The Council invites the Secretary-General to inform it as soon as possible on the findings of the inquiry into the circumstances of this attack as well as other similar incidents involving the United Nations activities in Bosnia and Herzegovina, in particular the incident which cost the lives of four Italian airmen in charge of the transportation of humanitarian relief to Sarajevo airport. It invites him also to pass on to it any information which he could gather on the responsibility for these incidents.

These serious incidents underline the urgent need for reinforcing the security and protection of UNPROFOR personnel as well as of all personnel involved in the United Nations activities in Bosnia and Herzegovina. The Security Council expresses its readiness to adopt without delay measures to this end.

RESOLUTION 776 (1992)
14 September 1992

Adopted by a vote of 12 in favour, 0 against and 3 abstentions (China, India and Zimbabwe).

Sponsors: Belgium, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The Security Council,

Reaffirming its resolution 743 (1992) of 21 February 1992 and all subsequent resolutions relating to the United Nations Protection Force (UNPROFOR),

Expressing its full support for the Statement of Principles adopted and other agreements reached at the London Conference, including the agreement of the parties to the conflict to collaborate fully in the delivery of humanitarian relief by road throughout Bosnia and Herzegovina,

Having examined the report of the Secretary-General of 10 September 1992 (S/24540),

Noting with appreciation the offers made by a number of States, following the adoption of its resolution 770 (1992) of 13 August 1992, to make available military personnel to facilitate the delivery by relevant United Nations humanitarian organizations and others of humanitarian assistance to Sarajevo and wherever needed in other parts of Bosnia and Herzegovina, such personnel to be made available to the United Nations without cost to the Organization,

Reaffirming its determination to ensure the protection and security of UNPROFOR and United Nations personnel,

Stressing in this context the importance of air measures, such as the ban on military flights to which all parties to the London Conference committed themselves, whose rapid implementation could, *inter alia*, reinforce the security of humanitarian activities in Bosnia and Herzegovina,

1. Approves the report of the Secretary-General;

2. *Authorizes,* in implementation of paragraph 2 of resolution 770 (1992), the enlargements of UNPROFOR's mandate and strength in Bosnia and Herzegovina recommended by the Secretary-General in that report to perform the functions outlined in the report, including the protection of convoys of released detainees if requested by the International Committee of the Red Cross;

3. *Further urges* Member States, nationally or through regional agencies or arrangements, to provide the Secretary-General with such financial or other assistance as he deems appropriate to assist in the performance of the functions outlined in his report;

4. *Decides* to remain actively seized of the matter in particular with a view to considering, as required, what further steps might be necessary to ensure UNPROFOR's security and to enable it to fulfil its mandate.

RESOLUTION 777 (1992)
19 September 1992

Adopted by a vote of 12 in favour, 0 against and 3 abstentions (China, India and Zimbabwe).

Sponsors: Belgium, France, Morocco, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Considering that the State formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist,

Recalling in particular resolution 757 (1992) which notes that "the claim by the Federal Republic of Yugoslavia (Serbia and Montenegro) to continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations has not been generally accepted",

1. *Considers* that the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations; and therefore ***recommends*** to the General Assembly that it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and that it shall not participate in the work of the General Assembly;

2. *Decides* to consider the matter again before the end of the main part of the forty-seventh session of the General Assembly.

On 22 September 1992, the United Nations General Assembly agreed with the Security Council recommendation by adopting its resolution 47/1.

RESOLUTION 779 (1992)
6 October 1992

Adopted, as orally revised in its provisional form, by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolution 743 (1992) of 21 February 1992 and all subsequent resolutions relating to the activities of the United Nations Protection Force in Croatia,

Having examined the report of the Secretary-General of 28 September 1992 (S/24600) submitted pursuant to resolution 743 (1992) and 762 (1992),

Concerned about the difficulties encountered by the United Nations Protection Force in the implementation of resolution 762 (1992) due to cease-fire violations and in particular to the creation of paramilitary forces in the United Nations Protected Areas in violation of the United Nations peace-keeping plan,

Expressing grave alarm at continuing reports of "ethnic cleansing" in the UNPAs and of forcible expulsion of civilians and deprivation of their rights of residence and property,

Welcoming the Joint Declaration signed in Geneva on

30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) (S/24476),

Welcoming in particular the agreement, reaffirmed in the Joint Declaration, concerning the demilitarization of the Prevlaka peninsula,

Recalling the provisions of Chapter VIII of the Charter of the United Nations,

1. Approves the report of the Secretary-General including the steps taken to ensure the control of the Peruca dam by the United Nations Protection Force;

2. Authorizes the United Nations Protection Force to assume responsibility for monitoring the arrangements agreed for the complete withdrawal of the Yugoslav Army from Croatia, the demilitarization of the Prevlaka peninsula and the removal of heavy weapons from neighbouring areas of Croatia and Montenegro, in cooperation, as appropriate, with the European Community Monitoring Mission, looks forward to the report of the Secretary-General on how this is implemented, and calls on all parties and others concerned to cooperate fully with UNPROFOR in its performance of this new task;

3. Calls on all parties and others concerned to improve their cooperation with the United Nations Protection Force in the performance of the tasks it is already undertaking in the UNPAs and in the areas adjacent to the United Nations Protected Areas;

4. Urges all parties and others concerned in Croatia to comply with their obligations under the United Nations peace-keeping plan, especially with regard to the withdrawal and the disarming of all forces, including paramilitary forces;

5. Endorses the principles agreed by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) on 30 September 1992 that all statements or commitments made under duress, particularly those relating to land and property, are wholly null and void and that all displaced persons have the right to return in peace to their former homes;

6. Strongly supports the current efforts of the Co-Chairmen of the International Conference on the former Yugoslavia to ensure the restoration of power and water supplies before the coming winter, as mentioned in paragraph 38 of the report of the Secretary-General, and calls on all the parties and others concerned to cooperate in this regard;

7. Decides to remain actively seized of the matter until a peaceful solution is achieved.

RESOLUTION 780 (1992)
6 October 1992

Adopted by unanimous vote.

Sponsors: Belgium, France, Hungary, Morocco, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela.

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Recalling paragraph 10 of its resolution 764 (1992) of 13 July 1992, in which it reaffirmed that all parties are bound to comply with the obligations under international humanitarian law and in particular the Geneva Conventions of 12 August 1949, and that persons who commit or order the commission of grave breaches of the Conventions are individually responsible in respect of such breaches,

Recalling also its resolution 771 (1992) of 13 August 1992, in which, *inter alia*, it demanded that all parties and others concerned in the former Yugoslavia, and all military forces in Bosnia and Herzegovina, immediately cease and desist from all breaches of international humanitarian law,

Expressing once again its grave alarm at continuing reports of widespread violations of international human-

itarian law occurring within the territory of the former Yugoslavia and especially in Bosnia and Herzegovina, including reports of mass killings and the continuance of the practice of "ethnic cleansing",

1. *Reaffirms* its call, in paragraph 5 of resolution 771 (1992), upon States and, as appropriate, international humanitarian organizations to collate substantiated information in their possession or submitted to them relating to the violations of humanitarian law, including grave breaches of the Geneva Conventions being committed in the territory of the former Yugoslavia, and requests States, relevant United Nations bodies, and relevant organizations to make this information available within thirty days of the adoption of the present resolution and as appropriate thereafter, and to provide other appropriate assistance to the Commission of Experts referred to in paragraph 2 below;

2. *Requests* the Secretary-General to establish, as a matter of urgency, an impartial Commission of Experts to examine and analyse the information submitted pursuant to resolution 771 (1992) and the present resolution, together with such further information as the Commission of Experts may obtain through its own investigations or efforts, of other persons or bodies pursuant to resolution 771 (1992), with a view to providing the Secretary-General with its conclusions on the evidence of grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia;

3. *Also requests* the Secretary-General to report to the Council on the establishment of the Commission of Experts;

4. *Further requests* the Secretary-General to report to the Council on the conclusions of the Commission of Experts and to take account of these conclusions in any recommendations for further appropriate steps called for by resolution 771 (1992);

5. *Decides* to remain actively seized of the matter.

RESOLUTION 781 (1992)
9 October 1992

Adopted by a vote of 14 in favour, 0 against and 1 abstention (China).

Sponsors: Austria, Belgium, France, Morocco, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The Security Council,

Reaffirming its resolution 713 (1991) and all subsequent relevant resolutions,

Determined to ensure the safety of humanitarian flights to Bosnia and Herzegovina,

Noting the readiness of the parties, expressed in the framework of the London Conference, to take appropriate steps in order to ensure the safety of humanitarian flights and their commitment at that Conference to a ban on military flights,

Recalling in this context the Joint Declaration (S/24476, Annex) signed at Geneva on 30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), and in particular paragraph 7 thereof,

Recalling also the agreement reached on air issues at Geneva on 15 September 1992 among all the parties concerned in the framework of the Working Group on Confidence and Security-building and Verification Measures of the London Conference (S/24634, Annex),

Alarmed at reports that military flights over the territory of Bosnia and Herzegovina are none the less continuing,

Noting the letter of 4 October 1992 from the President of the Republic of Bosnia and Herzegovina addressed to the President of the Security Council (S/24616),

Considering that the establishment of a ban on military flights in the airspace of Bosnia and Herzegovina constitutes an essential element for the safety of the delivery of humanitarian assistance and a decisive step

for the cessation of hostilities in Bosnia and Herzegovina,

Acting pursuant to the provisions of resolution 770 (1992) aimed at ensuring the safety of the delivery of humanitarian assistance in Bosnia and Herzegovina,

1. Decides to establish a ban on military flights in the airspace of Bosnia and Herzegovina, this ban not to apply to United Nations Protection Force flights or to other flights in support of United Nations operations, including humanitarian assistance;

2. Requests the United Nations Protection Force to monitor compliance with the ban on military flights, including the placement of observers where necessary at airfields in the territory of the former Yugoslavia;

3. Also requests the United Nations Protection Force to ensure, through an appropriate mechanism for approval and inspection, that the purpose of flights to and from Bosnia and Herzegovina other than those banned by paragraph 1 above is consistent with Security Council resolutions;

4. Requests the Secretary-General to report to the Council on a periodic basis on the implementation of the present resolution and to report immediately any evidence of violations;

5. Calls upon States to take nationally or through regional agencies or arrangements all measures necessary to provide assistance to the United Nations Protection Force, based on technical monitoring and other capabilities, for the purposes of paragraph 2 above;

6. Undertakes to examine without delay all the information brought to its attention concerning the implementation of the ban on military flights in Bosnia and Herzegovina and, in the case of violations, to consider urgently the further measures necessary to enforce this ban;

7. Decides to remain actively seized of the matter.

STATEMENT BY THE PRESIDENT
30 October 1992

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3132nd meeting, held on 30 October 1992, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

The Security Council remains concerned by the continuing conflict in the Republic of Bosnia and Herzegovina with its resultant loss of life and material damage, which threatens international peace and security and by reports of egregious violations of international humanitarian law by whomsoever committed.

The Security Council is appalled by the most recent reports that Serb militia in the Republic of Bosnia and Herzegovina are attacking civilians fleeing from the city of Jajce.

The Council strongly condemns any such attacks which constitute grave violations of international humanitarian law, including the Geneva Conventions, and reaffirms that persons who commit or order the commission of grave breaches of these Conventions are individually responsible in respect of such breaches. The Council wishes that such violations be brought to the attention of the Commission of Experts mentioned in resolution 780 (1992).

The Council demands that all such attacks cease immediately.

RESOLUTION 786 (1992)
19 November 1992

Adopted, as orally revised in its provisional form, by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolution 781 (1992) of 9 October 1992,

Taking note of the report of the Secretary-General of 5 November 1992 (S/24767 and Add.1) and his

subsequent letter of 6 November 1992 (S/24783) submitted pursuant to resolution 781 (1992),

Considering that the establishment of a ban on military flights in the airspace of Bosnia and Herzegovina constitutes an essential element for the safety of the delivery of humanitarian assistance and a decisive step for the cessation of hostilities in Bosnia and Herzegovina,

Taking into account the need for a speedy deployment of monitors on the ground for observation and verification purposes,

Gravely concerned at the indication in the Secretary-General's letter of 6 November 1992 of possible violations of its resolution 781 (1992) and of the impossibility of corroborating the information on such violations by technical means presently available to the United Nations Protection Force,

Determined to ensure the safety of humanitarian flights to Bosnia and Herzegovina,

1. Welcomes the current advance deployment of military observers of the United Nations Protection Force and the European Community Monitoring Mission at airfields in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro);

2. Reaffirms its ban on military flights in the airspace of Bosnia and Herzegovina, which applies to all flights, whether of fixed-wing or rotary-wing aircraft, subject to the exceptions contained in paragraph 1 of its resolution 781 (1992), and reiterates that all parties and others concerned must comply with this ban;

3. Endorses the general concept of operations described in the Secretary-General's report and calls on all parties and others concerned, including all Governments operating aircraft in the area, to cooperate fully with the United Nations Protection Force in its implementation;

4. Calls upon all parties and others concerned hereforth to direct all requests for authorizations of flights pursuant to paragraph 3 of its resolution 781 (1992) to the United Nations Protection Force, with special provisions being made for flights of the United Nations Protection Force, and all other flights in support of United Nations operations, including humanitarian assistance;

5. Approves the recommendation in paragraph 10 of the Secretary-General's report that the strength of the United Nations Protection Force be increased, as proposed in paragraph 5 of the report, in order to permit it to implement the concept of operations;

6. Reiterates its determination to consider urgently, in the case of violations when further reported to it in accordance with its resolution 781 (1992), the further measures necessary to enforce the ban on military flights in the airspace of Bosnia and Herzegovina;

7. Decides to remain actively seized of the matter.

RESOLUTION 787 (1992)
16 November 1992

Adopted, as orally revised in its provisional form, by a vote of 13 in favour, 0 against and 2 abstentions (China and Zimbabwe).

Sponsors: Belgium, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Reaffirming its determination that the situation in the Republic of Bosnia and Herzegovina constitutes a threat to the peace, and reaffirming that the provision of humanitarian assistance in the Republic of Bosnia and Herzegovina is an important element in the Security Council's effort to restore peace and security in the region,

Deeply concerned at the threats to the territorial integrity of the Republic of Bosnia and Herzegovina, which,

as a State Member of the United Nations, enjoys the rights provided for in the Charter of the United Nations,

Reaffirming also its full support for the International Conference on the Former Yugoslavia as the framework within which an overall political settlement of the crisis in the former Yugoslavia may be achieved, and for the work of the Co-Chairmen of the Steering Committee of the Conference,

Recalling the decision by the International Conference on the Former Yugoslavia to examine the possibility of promoting safe areas for humanitarian purposes,

Recalling the commitments entered into by the parties and others concerned within the framework of the International Conference on the Former Yugoslavia,

Reiterating its call on all parties and others concerned to cooperate fully with the Co-Chairmen of the Steering Committee,

Noting the progress made so far within the framework of the International Conference, including the Joint Declarations signed at Geneva on 30 September 1992 and 20 October 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro); the Joint Statement made at Geneva on 19 October 1992 by the Presidents of the Republic of Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro); the Joint Communiqué issued on 1 November 1992 at Zagreb by the Presidents of the Republic of Croatia and the Republic of Bosnia and Herzegovina; the establishment of the Mixed Military Working Group in the Republic of Bosnia and Herzegovina; and the production of a draft outline constitution for the Republic of Bosnia and Herzegovina,

Noting with grave concern the report of the Special Rapporteur appointed following a special session of the Commission on Human Rights to investigate the human rights situation in the former Yugoslavia, which makes clear that massive and systematic violations of human rights and grave violations of international humanitarian law continue in the Republic of Bosnia and Herzegovina,

Welcoming the deployment of additional elements of the United Nations Protection Force for the protection of humanitarian activities in the Republic of Bosnia and Herzegovina, in accordance with its resolution 776 (1992) of 14 September 1992,

Deeply concerned about reports of continuing violations of the embargo imposed by its resolutions 713 (1991) and 724 (1991) of 15 December 1991,

Deeply concerned also about reports of violations of the measures imposed by its resolution 757 (1992) of 30 May 1992,

1. Calls upon the parties in the Republic of Bosnia and Herzegovina to consider the draft outline constitution as a basis for negotiating a political settlement of the conflict in that country and to continue negotiations for constitutional arrangements on the basis of the draft outline, under the auspices of the Co-Chairmen of the Steering Committee, these negotiations to be held in continuous and uninterrupted session;

2. Reaffirms that any taking of territory by force or any practice of "ethnic cleansing" is unlawful and unacceptable, and will not be permitted to affect the outcome of the negotiations on constitutional arrangements for the Republic of Bosnia and Herzegovina, and insists that all displaced persons be enabled to return in peace to their former homes;

3. Strongly reaffirms its call on all parties and others concerned to respect strictly the territorial integrity of the Republic of Bosnia and Herzegovina, and affirms that any entities unilaterally declared or arrangements imposed in contravention thereof will not be accepted;

4. Condemns the refusal of all parties in the Republic of Bosnia and Herzegovina, in particular the Bosnian Serb paramilitary forces, to comply with its previous resolutions, and demands that they and all other con-

cerned parties in the former Yugoslavia fulfil immediately their obligations under those resolutions;

5. *Demands* that all forms of interference from outside the Republic of Bosnia and Herzegovina, including infiltration into the country of irregular units and personnel, cease immediately, and reaffirms its determination to take measures against all parties and others concerned which fail to fulfil the requirements of resolution 752 (1992) and its other relevant resolutions, including the requirement that all forces, in particular elements of the Croatian army, be withdrawn, or be subject to the authority of the Government of the Republic of Bosnia and Herzegovina, or be disbanded or disarmed;

6. *Calls upon* all parties in the Republic of Bosnia and Herzegovina to fulfil their commitments to put into effect an immediate cessation of hostilities and to negotiate in the Mixed Military Working Group, continuously and in uninterrupted session, to end the blockades of Sarajevo and other towns and to demilitarize them, with heavy weapons under international supervision;

7. *Condemns* all violations of international humanitarian law, including in particular the practice of "ethnic cleansing" and the deliberate impeding of the delivery of food and medical supplies to the civilian population of the Republic of Bosnia and Herzegovina, and reaffirms that those that commit or order the commission of such acts will be held individually responsible in respect of such acts;

8. *Welcomes* the establishment of the Commission of Experts provided for in paragraph 2 of its resolution 780 (1992) of 6 October 1992, and requests the Commission to pursue actively its investigations with regard to grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia, in particular the practice of "ethnic cleansing";

9. *Decides,* acting under Chapter VII of the Charter of the United Nations, in order to ensure that commodities and products transshipped through the Federal Republic of Yugoslavia (Serbia and Montenegro) are not diverted in violation of resolution 757 (1992), to prohibit the transshipment of crude oil, petroleum products, coal, energy-related equipment, iron, steel, other metals, chemicals, rubber, tyres, vehicles, aircraft and motors of all types unless such transshipment is specifically authorized on a case-by-case basis by the Committee established by resolution 724 (1991) under its no-objection procedure;

10. *Further decides,* acting under Chapter VII of the Charter of the United Nations, that any vessel in which a majority or controlling interest is held by a person or undertaking in or operating from the Federal Republic of Yugoslavia (Serbia and Montenegro) shall be considered, for the purpose of implementation of the relevant resolutions of the Security Council, a vessel of the Federal Republic of Yugoslavia (Serbia and Montenegro) regardless of the flag under which the vessel sails;

11. *Calls upon* all States to take all necessary steps to ensure that none of their exports are diverted to the Federal Republic of Yugoslavia (Serbia and Montenegro) in violation of resolution 757 (1992);

12. *Acting* under Chapters VII and VIII of the Charter of the United Nations, ***calls upon*** States, acting nationally or through regional agencies or arrangements, to use such measures commensurate with the specific circumstances as may be necessary under the authority of the Security Council to halt all inward and outward maritime shipping in order to inspect and verify their cargoes and destinations and to ensure strict implementation of the provisions of resolutions 713 (1991) and 757 (1992);

13. *Commends* the efforts of those riparian States which are acting to ensure compliance with resolutions 713 (1991) and 757 (1992) with respect to shipments on the Danube, and reaffirms the responsibility of riparian States to take necessary measures to ensure that shipping on the Danube is in accordance with resolutions 713 (1991) and 757 (1992), including such measures commensurate with the specific circumstances as may be necessary to halt such shipping in

order to inspect and verify their cargoes and destinations and to ensure strict implementation of the provisions of resolutions 713 (1991) and 757 (1992);

14. Requests the States concerned, nationally or through regional agencies or arrangements, to coordinate with the Secretary-General *inter alia* on the submission of reports to the Security Council regarding actions taken in pursuance of paragraphs 12 and 13 of the present resolution to facilitate the monitoring of the implementation of the present resolution;

15. Requests all States to provide in accordance with the Charter of the United Nations such assistance as may be required by those States acting nationally or through regional agencies and arrangements in pursuance of paragraphs 12 and 13 of the present resolution;

16. Considers that, in order to facilitate the implementation of the relevant Security Council resolutions, observers should be deployed on the borders of the Republic of Bosnia and Herzegovina, and requests the Secretary-General to present to the Council as soon as possible his recommendations on this matter;

17. Calls upon all international donors to contribute to the humanitarian relief efforts in the former Yugoslavia, to support the United Nations Consolidated Inter-Agency Programme of Action and Appeal for the former Yugoslavia and to speed up the delivery of assistance under existing pledges;

18. Calls upon all parties and others concerned to cooperate fully with the humanitarian agencies and with the United Nations Protection Force to ensure the safe delivery of humanitarian assistance to those in need of it, and reiterates its demand that all parties and others concerned take the necessary measures to ensure the safety of United Nations and other personnel engaged in the delivery of humanitarian assistance;

19. Invites the Secretary-General, in consultation with the United Nations High Commissioner for Refugees and other relevant international humanitarian agencies, to study the possibility of and the requirements for the promotion of safe areas for humanitarian purposes;

20. Expresses its appreciation for the report presented to the Council by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, and requests the Secretary-General to continue to keep the Council regularly informed of developments and of the work of the Conference;

21. Decides to remain actively seized of the matter until a peaceful solution is achieved.

STATEMENT BY THE PRESIDENT (to the press)
2 December 1992

After consultations held on 2 December 1992, the President of the Security Council made the following statement to the media on behalf of the members of the Council:

The members of the Security Council wish to express their deep concern and outrage about the increasing number of attacks against United Nations personnel serving in various peace-keeping operations.

A number of serious incidents affecting military and civilian personnel serving with UNAVEM II, UNTAC and UNPROFOR have occurred during the last few days.

On 29 November in Uige, northern Angola, a Brazilian police observer with UNAVEM II was killed as a result of an outbreak of hostilities between UNITA and government forces, during which the UNAVEM camp was caught in the cross-fire. The members of the Council convey their deep sympathy and condolences to the Government of Brazil and to the bereaved family.

The situation in UNPROFOR, which has already suffered over 300 casualties, 20 of them fatal, remains deeply troubling. On 30 November, two Spanish UNPROFOR soldiers in Bosnia and Herzegovina were seriously injured in a mine attack and a Danish UNPROFOR soldier was abducted by armed men today.

On 1 December, two British UNTAC military observers and four naval observers, two from the Philippines, one from New Zealand and one from the United Kingdom, on patrol in Kompong Thom province were illegally detained by forces belonging to the National Army of Democratic Kampuchea (NADK). An UNTAC helicopter, sent to assist in the discussions for their release, was fired upon, and a French military observer on board was injured. Moreover, today, six UNTAC civilian police monitors, three Indonesians, two Tunisians and one Nepalese, were injured in two land mine incidents in Siem Reap province.

The members of the Council condemn these attacks on the safety and security of UN personnel and demand that all parties concerned take all necessary measures to prevent their recurrence. The members of the Council consider the abduction and detention of United Nations peace-keeping personnel as totally unacceptable and demand the immediate and unconditional release of the UNTAC and UNPROFOR personnel concerned.

STATEMENT BY THE PRESIDENT
9 December 1992

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3146th meeting, held on 9 December 1992, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

The Security Council is alarmed by the most recent reports that Serb militia in the Republic of Bosnia and Herzegovina have renewed their offensive in Bosnia and Herzegovina, and in particular against the city of Sarajevo, resulting in further loss of life and material damage as well as in endangering the security of UNPROFOR and international relief workers, thus threatening international peace and security.

The Security Council is particularly alarmed by reports that the Serb militia in the Republic of Bosnia and Herzegovina are forcing the inhabitants of Sarajevo to evacuate the city. The Council warns that actions aimed at impeding the distribution of humanitarian assistance and at forcing the inhabitants of Sarajevo to leave the city, including the possibility of ethnic cleansing, would have grave consequences for the overall situation in that country.

The Security Council strongly condemns these attacks as violations of its relevant resolutions and of previous commitments, in particular with regard to the cessation of hostilities, the ban on military flights in the airspace of the Republic of Bosnia and Herzegovina, the safety of humanitarian assistance to the civilian population and the restoration of power and water supplies.

The Security Council demands the immediate cessation of these attacks and of all actions aimed at impeding the distribution of humanitarian assistance and at forcing the inhabitants of Sarajevo to leave the city.

If such attacks and actions continue, the Security Council will consider, as soon as possible, further measures against those who commit or support them to ensure the security of UNPROFOR and of international relief workers, the ability of UNPROFOR to fulfil its mandate and compliance with the Council's relevant resolutions.

The Security Council will remain actively seized of the matter.

RESOLUTION 795 (1992)
11 December 1992

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Recalling its resolution 743 (1992) of 21 February 1992,

Recalling the letter of the President of the Security Council dated 25 November 1992 conveying its agreement to the Secretary-General's proposal to send an exploratory mission to the former Yugoslav Republic of Macedonia (S/24852),

Noting the report of the Secretary-General dated 9 December 1992 (S/24923),

Concerned about possible developments which could undermine confidence and stability in the former Yugoslav Republic of Macedonia or threaten its territory,

Welcoming the presence of a mission of the Conference on Security and Cooperation in Europe (CSCE) in the former Yugoslav Republic of Macedonia,

Considering the request by the Government in the former Yugoslav Republic of Macedonia for a United Nations presence in the former Yugoslav Republic of Macedonia,

Recalling Chapter VIII of the Charter of the United Nations,

1. Approves the report of the Secretary-General (S/24923);

2. Authorizes the Secretary-General to establish a presence of the United Nations Protection Force (UNPROFOR) in the former Yugoslav Republic of Macedonia, as recommended by him in his report (S/24923), and so to inform the authorities of Albania and those of the Federal Republic of Yugoslavia (Serbia and Montenegro);

3. Requests the Secretary-General to deploy immediately the military, civil affairs, and administrative personnel recommended in his report, and that he deploy the police monitors immediately upon receiving the consent of the Government in the former Yugoslav Republic of Macedonia to do so;

4. Urges the UNPROFOR presence in the former Yugoslav Republic of Macedonia to coordinate closely with the CSCE mission there;

5. Requests the Secretary-General to keep the Council regularly informed of the implementation of this resolution;

6. Decides to remain seized of the matter.

RESOLUTION 798 (1992)
18 December 1992

Adopted by unanimous vote.

Sponsors: Belgium, France, Morocco and the United Kingdom of Great Britain and Northern Ireland.

The Security Council,

Recalling its resolutions 770 (1992) and 771 (1992) of 13 August 1992 as well as other relevant resolutions of the Security Council,

Appalled by reports of the massive, organized and systematic detention and rape of women, in particular Muslim women, in Bosnia and Herzegovina,

Demanding that all the detention camps and, in particular, camps for women should be immediately closed,

Taking note of the initiative taken by the European Council on the rapid dispatch of a delegation to investigate the facts received until now,

1. Expresses its support for the above-mentioned initiative of the European Council;

2. Strongly condemns these acts of unspeakable brutality;

3. Requests the Secretary-General to provide such necessary means of support as are available to him in the area to enable the European Community delegation to have free and secure access to the places of detention;

4. Requests the member States of the European Community to inform the Secretary-General of the work of the delegation;

5. Invites the Secretary-General to report to it within fifteen days of the adoption of the present resolution on measures taken to support the delegation;

6. Decides to remain actively seized of the matter.

STATEMENT BY THE PRESIDENT
8 January 1993

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3159th meeting, held on 8 January 1993, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

The Security Council is profoundly shocked to learn of the killing of Mr. Hakija Turajlic, Deputy Prime Minister for Economic Affairs of the Republic of Bosnia and Herzegovina, by Bosnian-Serb forces, while he was under the protection of the United Nations Protection Force (UNPROFOR).

The Council strongly condemns this outrageous act of terrorism which is a grave violation of international humanitarian law and a flagrant challenge to the authority and the inviolability of UNPROFOR, as well as to the serious efforts undertaken with the aim of achieving an overall political settlement of the crisis.

The Council urges all parties and others concerned to exercise the utmost restraint and to refrain from taking any action which might further exacerbate the situation.

The Council requests the Secretary-General to undertake a full investigation of the incident and to report to it without delay. Upon receipt of that report the Council will consider the matter forthwith.

The members of the Security Council extend their sincere condolences to the bereaved family of Mr. Turajlic and to the people and the Government of the Republic of Bosnia and Herzegovina.

STATEMENT BY THE PRESIDENT
8 January 1993

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3160th meeting, held on 8 January 1993, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

The Security Council fully supports the efforts of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia aimed at achieving an overall political settlement of the crisis through a complete cessation of hostilities and the establishment of a constitutional framework for the Republic of Bosnia and Herzegovina. In this connection, the Council reaffirms the need to respect fully the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina.

The Council fully endorses the view of the Secretary-General described in his report (S/25050) that it is the duty of all the parties involved in the conflict in the Republic of Bosnia and Herzegovina, despite the recent provocation, to cooperate with the Co-Chairmen in bringing this conflict to an end swiftly.

The Council appeals to all the parties involved to cooperate to the fullest with the peace efforts and warns any party which would oppose an overall political settlement against the consequences of such an attitude; lack of cooperation and non-compliance with its relevant resolutions will compel the Security Council to review the situation in an urgent and most serious manner, and to consider further necessary measures.

RESOLUTION 802 (1993)
25 January 1993

Adopted, as orally revised in its provisional form, by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Reaffirming in particular its commitment to the United Nations peace-keeping plan (S/23280, Annex III),

Deeply concerned by the information provided by the Secretary-General to the Security Council on 25 January 1993 on the rapid and violent deterioration of the situation in Croatia as a result of military attacks by Croatian armed forces on the areas under the protection of the United Nations Protection Force (UNPROFOR),

Strongly condemning those attacks which have led to casualties and loss of life in UNPROFOR, as well as among the civilian population,

Deeply concerned also by the lack of cooperation in recent months by the Serb local authorities in the areas under the protection of UNPROFOR, by the recent seizure by them of heavy weapons under UNPROFOR control, and by threats to widen the conflict,

1. Demands the immediate cessation of hostile activities by Croatian armed forces within or adjacent to the United Nations Protected Areas and the withdrawal of the Croatian armed forces from these areas;

2. Strongly condemns the attacks by these forces against UNPROFOR in the conduct of its duty of protecting civilians in the United Nations Protected Areas and ***demands*** their immediate cessation;

3. Demands also that the heavy weapons seized from the UNPROFOR-controlled storage areas be returned immediately to UNPROFOR;

4. Demands that all parties and others concerned comply strictly with the cease-fire arrangements already agreed and cooperate fully and unconditionally in the implementation of the United Nations peace-keeping plan (S/23280, Annex III), including the disbanding and demobilization of Serb Territorial Defence units or other units of similar functions;

5. Expresses its condolences to the families of the UNPROFOR personnel who have lost their lives;

6. Demands that all parties and others concerned respect fully the safety of United Nations personnel;

7. Invites the Secretary-General to take all necessary steps to ensure the safety of the UNPROFOR personnel concerned;

8. Calls upon all parties and others concerned to cooperate with UNPROFOR in resolving all remaining issues connected with the implementation of the peace-keeping plan, including allowing civilian traffic freely to use the Maslenica crossing;

9. Calls again upon all parties and others concerned to cooperate fully with the International Conference on the Former Yugoslavia and to refrain from any actions or threats which might undermine the current efforts aimed at reaching a political settlement;

10. Decides to remain actively seized of the matter.

STATEMENT BY THE PRESIDENT
25 January 1993

Following consultations among members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3164th meeting, on 25 January 1993, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

The Security Council notes with appreciation the efforts of the international community to alleviate the plight of the civilian population in the Republic of Bosnia and Herzegovina, whose lives have been severely affected by the fighting there. The Council has the highest regard for the efforts of the brave people who have undertaken to deliver urgently needed humanitarian assistance under extremely trying conditions to the civilian population in the Republic of Bosnia and Herzegovina, in particular, the efforts of the United Nations Protection Force (UNPROFOR) and the United Nations High Commissioner for Refugees (UNHCR). However, the Council deeply regrets that the situation there has imposed great limits on the international community in the fulfilment of its humanitarian mandate.

The Council reaffirms its demand that all parties and others concerned, in particular Serb paramilitary units, cease and desist forthwith from all violations of international humanitarian law being committed in the territory of the Republic of Bosnia and Herzegovina, including in particular the deliberate interference with humanitarian convoys. The Council warns the parties concerned of serious consequences, in accordance with relevant resolutions of the Security Council, if they continue to impede the delivery of humanitarian relief assistance.

The Council invites the Secretary-General to keep under continuous review the possibility of air-dropping humanitarian assistance to areas isolated by the conflict in the Republic of Bosnia and Herzegovina.

The Council will remain actively seized of the matter.

STATEMENT BY THE PRESIDENT
27 January 1993

Following consultations among members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3165th meeting, on 27 January 1993, in connection with the Council's consideration of the item entitled "The situation prevailing in and adjacent to the United Nations Protected Areas in Croatia":

The Security Council is deeply concerned to learn from the Secretary-General that the offensive by the Croatian armed forces continues unabated in flagrant violation of resolution 802 (1993) of 25 January 1993, at a crucial time in the peace process.

The Council demands that military action by all parties and others concerned cease immediately. It further demands that all parties and others concerned comply fully and immediately with all the provisions of resolution 802 (1993) and with other relevant Security Council resolutions.

The Council once again demands that all parties and others concerned respect fully the safety of United Nations personnel and guarantee their freedom of movement. The Council reiterates that it will hold the political and military leaders involved in the conflict responsible and accountable for the safety of the United Nations peace-keeping personnel in the area.

The Security Council will remain actively seized of the matter, in particular with a view to considering what further steps might be necessary to ensure that resolution 802 (1993) and other relevant Security Council resolutions are fully implemented.

STATEMENT BY THE PRESIDENT
(to the press)
28 January 1993

After consultations held on 28 January 1993, the President of the Security Council made the following statement to the media on behalf of the members of the Council:

In connection with letters of 27 January 1993 from the Chargés of Bulgaria (S/25182) and Romania (S/25189) to the President of the Security Council, the members of the Council heard a report from the Chairman of the Committee established by resolution 724 (1991) about Yugoslav vessels carrying oil from Ukraine to Serbia by way of the Danube, a flagrant violation of mandatory Security Council resolutions.

The members of the Council are concerned that these shipments are reported to have left Ukrainian territory after the adoption of resolution 757 (1992) and indeed may have left after the adoption of resolution 787 (1992). They call on the Government of Ukraine to ensure that no further such shipments are permitted.

The members of the Council are also extremely concerned that some of the vessels have already reached Serbia. In this regard, they demand that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) comply fully with the relevant resolutions. They have asked the President of the Council to convey their concern to the representatives of Romania and Bulgaria, to remind them of their clear obligations under the relevant resolutions and to seek an explanation of their failure to fulfil them. They have asked the President to draw particular attention to the relevant resolutions, which make clear the responsibility of all riparian States to take necessary measures to ensure that shipping on the Danube is in accordance with Security Council resolutions, including such enforcement measures commensurate with the specific circumstances as may be necessary to halt such shipping. The members of the Council reaffirm their support for vigorous enforcement of the relevant resolutions, and they are clear that the riparian States have the means to fulfil this obligation and that they must do so forthwith.

STATEMENT BY THE PRESIDENT (to the press) 10 February 1993

After consultations of the Security Council, held on 10 February 1993, the President of the Council made the following statement to the media on behalf of the members of the Council:

The members of the Security Council have heard a report from the Chairman of the Committee established by resolution 724 (1991) about the detention of Romanian vessels on the Danube by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro).

They have learned that the Minister of Transport of the Federal Republic of Yugoslavia (Serbia and Montenegro) has threatened to detain more Romanian vessels if Romania does not allow the passage of Yugoslav vessels on the Danube. They have also learned that the Minister for Foreign Affairs of the Federal Republic of Yugoslavia (Serbia and Montenegro) has addressed a letter to the Chairman of the Committee established by resolution 724 (1991) informing him that the Romanian vessels would be released without further delay, which according to information provided by the Chargé d'affaires of the Permanent Mission of Romania to the United Nations has not yet happened.

The members of the Council recall their statement of 28 January 1993 (S/25190) about the responsibility of States to enforce mandatory Security Council resolutions, with particular reference to Yugoslav vessels attempting to violate those resolutions by way of the Danube. They commend the Romanian Government for the action it has since taken in this regard and reaffirm once again their full support for vigorous enforcement of the relevant resolutions.

They also recall that under Article 103 of the Charter, the obligations of the Members of the United Nations under the Charter prevail over their obligations under any other international agreement.

The members of the Council condemn any such retaliatory action and threats of such action by the FRY authorities. It is wholly unacceptable for those authorities to take retaliatory measures in response to action by a State in fulfilment of its obligations under the Charter of the United Nations. They demand that the FRY authorities release forthwith the Romanian vessels they have unjustifiedly detained, and that they desist from further unlawful detentions.

STATEMENT BY THE PRESIDENT 17 February 1993

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3173rd meeting, held on 17 February 1993, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

The Security Council recalls all relevant resolutions of the Council and its statement of 25 January (S/25162) concerning the provision of humanitarian relief in the Republic of Bosnia and Herzegovina. It notes with deep concern that, notwithstanding the Council's demand in that statement, relief efforts continue to be impeded. It condemns the blocking of humanitarian convoys and the impeding of relief supplies, which place at risk the civilian population of the Republic of Bosnia and Herzegovina and endanger the lives of personnel delivering such supplies. It remains deeply concerned at reports of pressing humanitarian need in the Republic of Bosnia and Herzegovina, particularly in the eastern part of the country.

The Council reiterates its demand that the parties and all others concerned allow immediate and unimpeded access to humanitarian relief supplies. It further demands that the parties and others concerned give the United Nations High Commissioner for Refugees the guarantees she has sought that they will abide by the promises they have made to comply with the Council's decisions in this regard, and thus facilitate the resumption of the full humanitarian relief programme, to which the Council attaches the greatest importance.

RESOLUTION 807 (1993)
19 February 1993

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolution 743 (1992) and all subsequent resolutions relating to the United Nations Protection Force (UNPROFOR),

Having considered the report of the Secretary-General dated 10 February 1993 (S/25264 and Corr. 1),

Deeply concerned by the lack of cooperation of the parties and others concerned in implementing the United Nations peace-keeping plan in Croatia (S/23280, Annex III),

Deeply concerned also by the recent and repeated violations by the parties and others concerned of their cease-fire obligations,

Determining that the situation thus created constitutes a threat to peace and security in the region,

Taking note in that context of the Secretary-General's request to the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, mentioned in his report (S/25264 and Corr. 1), to establish as soon as possible, through discussions with the parties, a basis on which UNPROFOR's mandate could be renewed,

Determined to ensure the security of UNPROFOR and to this end, ***acting*** under Chapter VII of the Charter of the United Nations,

1. Demands that the parties and others concerned comply fully with the United Nations peace-keeping plan in Croatia and with the other commitments they have undertaken and in particular with their cease-fire obligations;

2. Demands further that the parties and others concerned refrain from positioning their forces in the proximity of UNPROFOR's units in the United Nations Protected Areas (UNPAs) and in the pink zones;

3. Demands also the full and strict observance of all relevant Security Council resolutions relating to the mandate and operations of UNPROFOR in the Republic of Bosnia and Herzegovina;

4. Demands also that the parties and others concerned respect fully UNPROFOR's unimpeded freedom of movement enabling it *inter alia* to carry out all necessary concentrations and deployments, all movements of equipment and weapons and all humanitarian and logistical activities;

5. Decides, in the context of these demands, to extend UNPROFOR's mandate for an interim period terminating on 31 March 1993;

6. Urges the parties and others concerned fully to cooperate with the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia in the discussions under their auspices in order to ensure full implementation of the United Nations peace-keeping mandate in Croatia, including *inter alia* through the collection and supervision of heavy weapons by UNPROFOR and the appropriate withdrawal of forces;

7. Invites the Secretary-General to work to achieve the rapid implementation of the United Nations peace-keeping mandate and of relevant Security Council resolutions, including resolution 802 (1993), thus to ensure security and stability throughout the UNPAs and the pink zones;

8. Invites further the Secretary-General, during the interim period and in consultation with the force-contributing States, to take, in accordance with paragraph 17 of his report, all appropriate measures to strengthen the security of UNPROFOR, in particular by providing it with the necessary defensive means, and to study the possibility of carrying out such local redeployment of military units as is required to ensure their protection;

9. Requests the Secretary-General to submit a report on the further extension of UNPROFOR's mandate, including financial estimates for all UNPROFOR's activities as proposed in his report of 10 February 1993 (S/25264 and Corr.1);

10. Decides to remain actively seized of the matter.

RESOLUTION 808 (1993)
22 February 1993

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Recalling paragraph 10 of its resolution 764 (1992) of 13 July 1992, in which it reaffirmed that all parties are bound to comply with the obligations under international humanitarian law and in particular the Geneva Conventions of 12 August 1949, and that persons who commit or order the commission of grave breaches of the Conventions are individually responsible in respect of such breaches,

Recalling also its resolution 771 (1992) of 13 August 1992, in which, *inter alia*, it demanded that all parties and others concerned in the former Yugoslavia, and all military forces in Bosnia and Herzegovina, immediately cease and desist from all breaches of international humanitarian law,

Recalling further its resolution 780 (1992) of 6 October 1992, in which it requested the Secretary-General to establish, as a matter of urgency, an impartial Commission of Experts to examine and analyse the information submitted pursuant to resolutions 771 (1992) and 780 (1992), together with such further information as the Commission of Experts may obtain, with a view to providing the Secretary-General with its conclusions on the evidence of grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia,

Having considered the interim report of the Commission of Experts established by resolution 780 (1992) (S/25274), in which the Commission observed that a decision to establish an ad hoc international tribunal in relation to events in the territory of the former Yugoslavia would be consistent with the direction of its work,

Expressing once again its grave alarm at continuing reports of widespread violations of international humanitarian law occurring within the territory of the former Yugoslavia, including reports of mass killings and the continuance of the practice of "ethnic cleansing",

Determining that this situation constitutes a threat to international peace and security,

Determined to put an end to such crimes and to take effective measures to bring to justice the persons who are responsible for them,

Convinced that in the particular circumstances of the former Yugoslavia the establishment of an international tribunal would enable this aim to be achieved and would contribute to the restoration and maintenance of peace,

Noting in this regard the recommendation by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia for the establishment of such a tribunal (S/25221),

Noting also with grave concern the "report of the European Community investigative mission into the treatment of Muslim women in the former Yugoslavia" (S/25240, Annex II),

Noting further the report of the committee of jurists submitted by France (S/25266), the report of the commission of jurists submitted by Italy (S/25300), and the report transmitted by the Permanent Representative of Sweden on behalf of the Chairman-in-Office of the Conference on Security and Cooperation in Europe (CSCE) (S/25307),

1. Decides that an international tribunal shall be established for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991;

2. Requests the Secretary-General to submit for consideration by the Council at the earliest possible date, and if possible no later than 60 days after the adoption of the present resolution, a report on all aspects of this matter, including specific proposals and where appropriate options for the effective and expeditious implementation of the decision contained in paragraph 1 above, taking into account suggestions put forward in this regard by Member States;

3. Decides to remain actively seized of the matter.

STATEMENT BY THE PRESIDENT
24 February 1993

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3176th meeting, on 24 February 1993, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

The Security Council, having heard a report from the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, is concerned that the present opportunity to reach a negotiated settlement in Bosnia and Herzegovina should not be allowed to slip by. It endorses fully the statement by the President of the United States of America and the Secretary-General of the United Nations on 23 February, calling on the leaders of the parties involved in the peace talks on Bosnia and Herzegovina to come to New York immediately to resume discussions with a view to the early conclusion of an agreement to end the conflict. The Council urges these leaders to respond quickly and positively to that call, and stands ready to give its full support to the efforts of the Co-Chairmen to bring the talks to a successful conclusion.

STATEMENT BY THE PRESIDENT
25 February 1993

Following consultations among members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3177th meeting, on 25 February 1993, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

The Security Council, having received a report from the Secretary-General, recalls all its relevant resolutions and its statements of 25 January 1993 (S/25162) and 17 February 1993 (S/25302) concerning the provision of humanitarian relief in the Republic of Bosnia and Herzegovina. It is deeply concerned that, in spite of its repeated demands, relief efforts continue to be impeded by Serb paramilitary units, especially in the eastern part of the country, namely in the enclaves of Srebrenica, Cerska, Gorazde and Zepa.

The Security Council deplores the deterioration of the humanitarian situation in the Republic of Bosnia and Herzegovina at a time when discussions are to resume with a view to reaching a just and durable agreement to end the conflict. It regards the blockade of relief efforts as a serious impediment to a negotiated settlement in the Republic of Bosnia and Herzegovina and to the efforts of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia. It notes with concern that the measures taken by Serb paramilitary units to interdict humanitarian convoys, in flagrant violation of relevant Security Council resolutions, expose the personnel of UNPROFOR and UNHCR as well as other humanitarian organizations to physical harm.

The deliberate impeding of the delivery of food and humanitarian relief essential for the survival of the civilian population in the Republic of Bosnia and Herzegovina constitutes a violation of the Geneva Conventions of 1949, and the Security Council is committed to ensuring that individuals responsible for such acts are brought to justice.

The Security Council strongly condemns once again the blocking of humanitarian convoys that has impeded the

delivery of humanitarian supplies. It reiterates its demand that the Bosnian parties grant immediate and unimpeded access for humanitarian convoys and fully comply with the Security Council's decisions in this regard. The Security Council expresses its strong support for the use, in full coordination with the United Nations and in accordance with the relevant Security Council resolutions, of humanitarian air drops in isolated areas of the Republic of Bosnia and Herzegovina that are in critical need of humanitarian supplies and cannot be reached by ground convoys. It reaffirms its firm commitment to the full implementation of the humanitarian relief programme in the Republic of Bosnia and Herzegovina.

The Security Council remains actively seized of the matter and continues its consideration of further steps, in accordance with its relevant resolutions.

STATEMENT BY THE PRESIDENT
3 March 1993

Following consultations among members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3180th meeting, on 3 March 1993, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

The Security Council, recalling all its relevant resolutions and statements, expresses its grave concern at and condemns the continuing unacceptable military attacks in eastern Bosnia and the resulting deterioration in the humanitarian situation in that region. It is appalled that even as peace talks are continuing, attacks by Serb paramilitary units, including, reportedly, the killings of innocent civilians, continue in eastern Bosnia. In this connection, the Security Council is particularly concerned about the fall of the town of Cerska and the imminent fall of neighbouring villages. The Security Council demands that the killings and atrocities must stop and reaffirms that those guilty of crimes against international humanitarian law will be held individually responsible by the world community.

The Security Council demands that the leaders of all the parties to the conflict in the Republic of Bosnia and Herzegovina remain fully engaged in New York in a sustained effort with the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia to reach quickly a fair and workable settlement. In this connection, the Security Council also demands that all sides immediately cease all forms of military action throughout the Republic of Bosnia and Herzegovina, cease acts of violence against civilians, comply with their previous commitments including the cease-fire, and redouble their efforts to settle the conflict.

The Security Council further demands that the Bosnian Serb side as well as all other parties refrain from taking any action which might endanger the lives and well-being of the inhabitants of eastern Bosnia, particularly in the areas near the town of Cerska, and that all concerned allow the unimpeded access of humanitarian relief supplies throughout the Republic of Bosnia and Herzegovina, especially humanitarian access to ... besieged cities of eastern Bosnia, and permit the evacuation of the wounded.

Having determined in the relevant resolutions that this situation constitutes a threat to international peace and security, the Security Council insists that these steps must be taken immediately.

The Security Council also requests the Secretary-General to take immediate steps to increase UNPROFOR's presence in eastern Bosnia.

The Security Council remains seized of the matter and is ready to meet at any moment to consider further action.

STATEMENT BY THE PRESIDENT
17 March 1993

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3184th meeting, held on 17 March 1993, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

The Security Council has been informed by the Secretary-General in a letter of 12 March 1993 of the violation on 11 March 1993 by military jets, proceeding from the airport of Banja Luka, of Security Council resolution 781 (1992), relating to the prohibition of military flights in the airspace of the Republic of Bosnia and Herzegovina, notwithstanding the fact that the Bosnian Serbs at the airport had received appropriate notification by United Nations observers that such flights would constitute a violation of the said resolution.

The Security Council equally takes note of the report by the Secretary-General in his letter of 16 March 1993 indicating that on 13 March 1993 new violations of the no-fly zone took place by planes that proceeded to bomb the villages of Gladovici and Osatica in the Republic of Bosnia and Herzegovina before leaving in the direction of the Federal Republic of Yugoslavia (Serbia and Montenegro). The above flights are the first violations of Security Council resolution 781 (1992) observed by UNPROFOR which involved combat activity.

The Security Council strongly condemns all violations of its relevant resolutions and underlines the fact that since the beginning of the monitoring operations in early November 1992, the United Nations has reported 465 violations of the no-fly zone over the Republic of Bosnia and Herzegovina.

The Security Council demands that these violations cease forthwith and reiterates its strong determination to ensure full respect of its resolutions. It particularly underlines its condemnation of all violations, especially those reported by the Secretary-General in his letters referred to above, at a time when the peace process has reached a critical juncture and when humanitarian relief efforts require full cooperation by all parties.

The Security Council demands from the Bosnian Serbs an immediate explanation of the aforementioned violations and particularly of the aerial bombardment of the villages of Gladovici and Osatica.

It requests the Secretary-General to ensure that an investigation is made of the reported possible use of the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) to launch air attacks against the territory of the Republic of Bosnia and Herzegovina.

The Security Council has mandated its President to convey to the Minister of Foreign Affairs of the Federal Republic of Yugoslavia (Serbia and Montenegro) and to leader of the Bosnian Serbs its deepest concern about the above-mentioned developments, and its demand that they take immediate action to prevent any repetitions of these attacks.

The Security Council will continue to consider what additional steps may be required to secure implementation of the provisions of relevant Security Council resolutions.

STATEMENT BY THE PRESIDENT
25 March 1993

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3186th meeting, held on 25 March 1993, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

The Security Council warmly welcomes the signature by President Alija Izetbegovic and Mr. Mate Boban of all four documents of the Peace Plan for Bosnia and Herzegovina worked out by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia.

On this important occasion the Security Council pays tribute to the untiring efforts of the Co-Chairmen, Secretary Vance and Lord Owen.

The Council commends the action of the two parties who have signed all the documents and calls on the remaining party to sign without delay the two documents of the Peace Plan that it has not already signed and to cease its violence, offensive military actions, "ethnic cleansing" and obstruction of humanitarian assistance.

The Council calls for an immediate cessation of hostilities by all parties.

The Council looks forward to receiving a report from the Secretary-General on the developments in the International Conference and stands ready to take action to follow up on the report and to take the steps required to bring about the peace settlement.

RESOLUTION 815 (1993)
30 March 1993

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolution 743 (1992) and all subsequent resolutions relating to the United Nations Protection Force (UNPROFOR),

Reaffirming in particular its commitment to ensure respect for the sovereignty and territorial integrity of Croatia and of the other Republics where UNPROFOR is deployed,

Having considered the report of the Secretary-General dated 25 March 1993 (S/25470 and Add.1),

Deeply concerned by the continuing violations by the parties and others concerned of their cease-fire obligations,

Determining that the situation thus created continues to constitute a threat to peace and security in the region,

Determined to ensure the security of UNPROFOR and its freedom of movement for all its missions, and to these ends ***acting*** under Chapter VII of the Charter of the United Nations,

1. *Approves* the report of the Secretary-General, in particular its paragraph 5;

2. *Reaffirms* all the provisions of its resolutions 802 (1993) and 807 (1993);

3. *Decides* to reconsider one month after the date of this resolution, or at any time at the request of the Secretary-General, UNPROFOR's mandate in light of developments of the International Conference on the Former Yugoslavia and the situation on the ground;

4. *Decides,* in this context, further to extend UNPROFOR's mandate for an additional interim period terminating on 30 June 1993;

5. *Supports* the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia in their efforts to help to define the future status of those territories comprising the United Nations Protected Areas (UNPAs), which are integral parts of the territory of the Republic of Croatia, and ***demands*** full respect for international humanitarian law, and in particular the Geneva Conventions, in these Areas;

6. *Requests* the Secretary-General to report urgently to the Council on how the United Nations Peace Plan for Croatia can be effectively implemented;

7. *Decides* to remain actively seized of the matter.

RESOLUTION 816 (1993)
31 March 1993

Adopted by a vote of 14 in favour, 0 against and 1 abstention (China).

Sponsors: France, Morocco, Pakistan, Spain, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The Security Council,

Recalling its resolutions 781 (1992) of 9 October 1992 and 786 (1992) of 10 November 1992,

Recalling paragraph 6 of resolution 781 (1992) and paragraph 6 of resolution 786 (1992) in which the Council undertook to consider urgently, in the case of violations of the ban on military flights in the airspace of the Republic of Bosnia and Herzegovina, the further measures necessary to enforce the ban,

Deploring the failure of some parties concerned to

cooperate fully with United Nations Protection Force (UNPROFOR) airfield monitors in the implementation of resolutions 781 (1992) and 786 (1992);

Deeply concerned by the various reports of the Secretary-General concerning violations of the ban on military flights in the airspace of the Republic of Bosnia and Herzegovina (S/24783, S/24810, S/24840, S/24870, S/24900 and Add.1 to 31),

Deeply concerned in particular by the Secretary-General's letters to the President of the Security Council of 12 and 16 March 1993 (S/25443 and S/25444) concerning new blatant violations of the ban on military flights in the airspace of the Republic of Bosnia and Herzegovina, and ***recalling*** in this regard the statement by the President of the Security Council of 17 March 1993 (S/25426), and in particular the reference to the bombing of villages in the Republic of Bosnia and Herzegovina,

Recalling the provisions of Chapter VIII of the Charter of the United Nations,

Determining that the grave situation in the Republic of Bosnia and Herzegovina continues to be a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides to extend the ban established by resolution 781 (1992) to cover flights by all fixed-wing and rotary-wing aircraft in the airspace of the Republic of Bosnia and Herzegovina, this ban not to apply to flights authorized by UNPROFOR in accordance with paragraph 2 below;

2. Requests UNPROFOR to modify the mechanism referred to in paragraph 3 of resolution 781 (1992) so as to provide for the authorization, in the airspace of the Republic of Bosnia and Herzegovina, of humanitarian flights and other flights consistent with relevant resolutions of the Council;

3. Requests UNPROFOR to continue to monitor compliance with the ban on flights in the airspace of the Republic of Bosnia and Herzegovina, and ***calls on*** all parties urgently to cooperate with UNPROFOR in making practical arrangements for the close monitoring of authorized flights and improving the notification procedures;

4. Authorizes Member States, seven days after the adoption of this resolution, acting nationally or through regional organizations or arrangements, to take, under the authority of the Security Council and subject to close coordination with the Secretary-General and UNPROFOR, all necessary measures in the airspace of the Republic of Bosnia and Herzegovina, in the event of further violations, to ensure compliance with the ban on flights referred to in paragraph 1 above, and proportionate to the specific circumstances and the nature of the flights;

5. Requests the Member States concerned, the Secretary-General and UNPROFOR to coordinate closely on the measures they are taking to implement paragraph 4 above, including the rules of engagement, and on the starting date of its implementation, which should be no later than seven days from the date when the authority conferred by paragraph 4 above takes effect, and to report the starting date to the Council through the Secretary-General;

6. Decides that, in the event of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia notifying the Council that all the Bosnian parties have accepted their proposals on a settlement before the starting date referred to in paragraph 5 above, the measures set forth in the present resolution will be subsumed into the measures for implementing that settlement;

7. Also requests the Member States concerned to inform the Secretary-General immediately of any actions they take in exercise of the authority conferred by paragraph 4 above;

8. Requests further the Secretary-General to report regularly to the Council on the matter and to inform it

immediately of any actions taken by the Member States concerned in exercise of the authority conferred by paragraph 4 above;

9. *Decides* to remain actively seized of the matter.

STATEMENT BY THE PRESIDENT
3 April 1993

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3192nd meeting, on 3 April 1993, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

The Security Council is shocked by and extremely alarmed at the dire and worsening humanitarian situation which has developed in Srebrenica in the eastern part of the Republic of Bosnia and Herzegovina following the unacceptable decision of the Bosnian Serb party not to permit any further humanitarian aid to be delivered to that town, and to allow only evacuation of its civilian population. The relevant facts are contained in a letter dated 2 April 1993, addressed to the Secretary-General by the United Nations High Commissioner for Refugees (S/25519, Annex).

The Security Council recalls and reaffirms all its relevant resolutions and statements and condemns the continuing disregard and wilful flouting of the relevant Security Council resolutions and statements by the Bosnian Serb party, which once again, in pursuit of its unlawful, unacceptable and abhorrent policy of "ethnic cleansing" aimed at territorial aggrandizement, has blocked the United Nations humanitarian relief efforts.

Recognizing the imperative need to alleviate, with the utmost urgency, the sufferings of the population in and around Srebrenica who are in desperate need of food, medicine, clothes and shelter, the Security Council demands that the Bosnian Serb party, cease and desist forthwith from all violations of international humanitarian law, including in particular the deliberate interference with humanitarian convoys, and allow all such convoys unhindered access to the town of Srebrenica and other parts in the Republic of Bosnia and Herzegovina. The Security Council demands that the Bosnian Serb party strictly comply with all relevant resolutions of the Security Council. It further demands that the Bosnian Serb party honour forthwith its most recent commitment "to guarantee the free movement of humanitarian convoys and the protection of endangered civilians". The Security Council also reaffirms that those guilty of crimes against international humanitarian law will be held individually responsible by the world community.

The Security Council commends and strongly supports the efforts of the brave people who have undertaken to deliver urgently needed humanitarian assistance, under extremely trying conditions, to the civilian population in the Republic of Bosnia and Herzegovina, and in particular the efforts of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Protection Force (UNPROFOR).

The Security Council recalls the request it made in its statement of 3 March 1993 (S/25361) to the Secretary-General to take immediate steps to increase UNPROFOR's presence in eastern Bosnia; welcomes the action taken already in that respect; and urges the Secretary-General and the United Nations High Commissioner for Refugees to use all the resources at their disposal within the scope of the relevant resolutions of the Council to reinforce the existing humanitarian operations in the Republic of Bosnia and Herzegovina.

The Security Council will remain actively seized of the matter.

RESOLUTION 817 (1993)
7 April 1993

Adopted, in accordance with the understanding reached in prior consultations among members of the Council and upon a proposal by the President, without a vote.

The Security Council,

Having examined the application for admission to the United Nations in document S/25147,

Noting that the applicant fulfils the criteria for member-

ship in the United Nations laid down in Article 4 of the Charter,

Noting, however, that a difference has arisen over the name of the State, which needs to be resolved in the interest of the maintenance of peaceful and good-neighbourly relations in the region,

Welcoming the readiness of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, at the request of the Secretary-General, to use their good offices to settle the above-mentioned difference, and to promote confidence-building measures among the parties,

Taking note of the contents of the letters contained in documents S/25541, S/25542 and S/25543 received from the parties,

1. Urges the parties to continue to cooperate with the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia in order to arrive at a speedy settlement of their difference;

2. Recommends to the General Assembly that the State whose application is contained in document S/25147 be admitted to membership in the United Nations, this State being provisionally referred to for all purposes within the United Nations as "the former Yugoslav Republic of Macedonia" pending settlement of the difference that has arisen over the name of the State;

3. Requests the Secretary-General to report to the Council on the outcome of the initiative taken by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia.

STATEMENT BY THE PRESIDENT
7 April 1993

At the 3196th meeting of the Security Council, held on 7 April 1993, in connection with the Council's consideration of the item "Admission of new Members", the President of the Security Council made the following statement on behalf of the members:

The Security Council has just recommended that the State whose application is in document S/25147 be admitted to membership in the United Nations. It is with great pleasure that, on behalf of the members of the Council, I congratulate the State concerned on this historic occasion. The members of the Council look forward to its early admission to the United Nations.

The Council welcomes the initiative taken by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, at the request of the Secretary-General, in order to set up a mechanism to settle the difference which has arisen over the name of the State, and to promote confidence-building measures among the two parties. The Council attaches the highest importance to implementing as soon as possible the confidence-building measures referred to in the resolution which has just been adopted. The Council expresses the hope that the initiative of the Co-Chairmen will be pursued expeditiously, that both sides will fully cooperate with the Co-Chairmen, that both sides, and all others concerned, will avoid taking steps that would render a solution more difficult, and that both will accept and implement the outcome. A mutually acceptable solution to these matters would be a major contribution to the maintenance of peaceful and good-neighbourly relations in the region.

The Council is clear that the reference in the resolution that has just been adopted to "the former Yugoslav Republic" carries no implication whatsoever that the State concerned has any connection with the Federal Republic of Yugoslavia (Serbia and Montenegro). It merely reflects the historic fact that the State recommended for admission to the United Nations in the present resolution was in the past a republic of the former Socialist Federal Republic of Yugoslavia.

On 8 April 1993, the United Nations General Assembly, by its resolution 47/225, decided to admit to membership in the United Nations the State provisionally referred to as "the former Yugoslav Republic of Macedonia" pending settlement of the difference that has arisen over the name of the State.

STATEMENT BY THE PRESIDENT
(to the press)
8 April 1993

After consultations of the Council held on 8 April 1993, the President of the Security Council made the following statement to the media on behalf of the members of the Council in connection with the item entitled "The situation in Bosnia and Herzegovina":

The members of the Security Council express their concern at the report of the International Committee of the Red Cross, according to which 17 detainees lost their lives on 26 March 1993 in the Republic of Bosnia and Herzegovina, when the vehicle transporting them from the Batkovic Camp (under the control of Serb forces) for work at the front was ambushed.

The members of the Council, recalling all the relevant resolutions and statements of the Council, remind all the parties that they are responsible at all times for the detainees' safety and that they must not compel detainees to do work of a military nature or destined to serve a military purpose. The ICRC had already repeatedly called on all parties to the conflict in the Republic of Bosnia and Herzegovina strictly to observe the provisions of international humanitarian law.

The members of the Council condemn all violations of the Third and Fourth Geneva Conventions, which the parties have undertaken to respect, and reaffirm once again that those who commit or order the commission of such acts will be held personally responsible.

The members of the Council request the Commission of Experts established pursuant to Security Council resolution 780 (1992) to carry out an investigation of these abominable practices and to make a report.

RESOLUTION 819 (1993)
16 April 1993

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all its subsequent relevant resolutions,

Taking note that the International Court of Justice in its Order of 8 April 1993 in the case concerning application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Yugoslavia (Serbia and Montenegro)) unanimously indicated as a provisional measure that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) should immediately, in pursuance of its undertaking in the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948, take all measures within its power to prevent the commission of the crime of genocide,

Reaffirming the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Reaffirming its call on the parties and others concerned to observe immediately the cease-fire throughout the Republic of Bosnia and Herzegovina,

Reaffirming its condemnation of all violations of international humanitarian law, including, in particular, the practice of "ethnic cleansing",

Concerned by the pattern of hostilities by Bosnian Serb paramilitary units against towns and villages in eastern Bosnia and in this regard ***reaffirming*** that any taking or acquisition of territory by the threat or use of force, including through the practice of "ethnic cleansing", is unlawful and unacceptable,

Deeply alarmed at the information provided by the Secretary-General to the Security Council on 16 April 1993 on the rapid deterioration of the situation in Srebrenica and its surrounding areas, as a result of the continued deliberate armed attacks and shelling of the innocent civilian population by Bosnian Serb paramilitary units,

Strongly condemning the deliberate interdiction by

Bosnian Serb paramilitary units of humanitarian assistance convoys,

Also strongly condemning the actions taken by Bosnian Serb paramilitary units against UNPROFOR, in particular, their refusal to guarantee the safety and freedom of movement of UNPROFOR personnel,

Aware that a tragic humanitarian emergency has already developed in Srebrenica and its surrounding areas as a direct consequence of the brutal actions of Bosnian Serb paramilitary units, forcing the large-scale displacement of civilians, in particular women, children and the elderly,

Recalling the provisions of resolution 815 (1993) on the mandate of UNPROFOR and in that context ***acting*** under Chapter VII of the Charter of the United Nations,

1. Demands that all parties and others concerned treat Srebrenica and its surroundings as a safe area which should be free from any armed attack or any other hostile act;

2. Demands also to that effect the immediate cessation of armed attacks by Bosnian Serb paramilitary units against Srebrenica and their immediate withdrawal from the areas surrounding Srebrenica;

3. Demands that the Federal Republic of Yugoslavia (Serbia and Montenegro) immediately cease the supply of military arms, equipment and services to the Bosnian Serb paramilitary units in the Republic of Bosnia and Herzegovina;

4. Requests the Secretary-General, with a view to monitoring the humanitarian situation in the safe area, to take immediate steps to increase the presence of UNPROFOR in Srebrenica and its surroundings; ***demands*** that all parties and others concerned cooperate fully and promptly with UNPROFOR towards that end; and ***requests*** the Secretary-General to report urgently thereon to the Security Council;

5. Reaffirms that any taking or acquisition of territory by the threat or use of force, including through the practice of "ethnic cleansing", is unlawful and unacceptable;

6. Condemns and rejects the deliberate actions of the Bosnian Serb party to force the evacuation of the civilian population from Srebrenica and its surrounding areas as well as from other parts of the Republic of Bosnia and Herzegovina as part of its overall abhorrent campaign of "ethnic cleansing";

7. Reaffirms its condemnation of all violations of international humanitarian law, in particular the practice of "ethnic cleansing" and reaffirms that those who commit or order the commission of such acts shall be held individually responsible in respect of such acts;

8. Demands the unimpeded delivery of humanitarian assistance to all parts of the Republic of Bosnia and Herzegovina, in particular to the civilian population of Srebrenica and its surrounding areas and ***recalls*** that such impediments to the delivery of humanitarian assistance constitute a serious violation of international humanitarian law;

9. Urges the Secretary-General and the United Nations High Commissioner for Refugees to use all the resources at their disposal within the scope of the relevant resolutions of the Council to reinforce the existing humanitarian operations in the Republic of Bosnia and Herzegovina in particular Srebrenica and its surroundings;

10. Further demands that all parties guarantee the safety and full freedom of movement of UNPROFOR and of all other United Nations personnel as well as members of humanitarian organizations;

11. Further requests the Secretary-General, in consultation with UNHCR and UNPROFOR, to arrange for the safe transfer of the wounded and ill civilians from Srebrenica and its surrounding areas and to urgently report thereon to the Council;

12. Decides to send, as soon as possible, a mission of members of the Security Council to the Republic of

Bosnia and Herzegovina to ascertain the situation and report thereon to the Security Council;

13. Decides to remain actively seized of the matter and to consider further steps to achieve a solution in conformity with relevant resolutions of the Council.

RESOLUTION 820 (1993)
17 April 1993

Adopted by a vote of 13 in favour, 0 against and 2 abstentions (China and the Russian Federation).

Sponsors: Cape Verde, Djibouti, France, Morocco, Pakistan, Spain, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela.

The Security Council,

Reaffirming all its earlier relevant resolutions,

Having considered the reports of the Secretary-General on the peace talks held by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia (S/25221, S/25248, S/25403 and S/25479),

Reaffirming the need for a lasting peace settlement to be signed by all of the Bosnian parties,

Reaffirming the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Reaffirming once again that any taking of territory by force or any practice of "ethnic cleansing" is unlawful and totally unacceptable, and ***insisting*** that all displaced persons be enabled to return in peace to their former homes,

Reaffirming in this regard its resolution 808 (1993) in which it decided that an international tribunal shall be established for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991 and requested the Secretary-General to submit a report at the earliest possible date,

Deeply alarmed and concerned about the magnitude of the plight of innocent victims of the conflict in the Republic of Bosnia and Herzegovina,

Expressing its condemnation of all the activities carried out in violation of resolutions 757 (1992) and 787 (1992) between the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) and Serb-controlled areas in the Republic of Croatia and the Republic of Bosnia and Herzegovina,

Deeply concerned by the position of the Bosnian Serb party as reported in paragraphs 17, 18 and 19 of the report of the Secretary-General of 26 March 1993 (S/25479),

Recalling the provisions of Chapter VIII of the Charter of the United Nations,

A

1. Commends the peace plan for Bosnia and Herzegovina in the form agreed to by two of the Bosnian parties and set out in the report of the Secretary-General of 26 March 1993 (S/25479), namely the Agreement on Interim Arrangements (Annex I), the nine Constitutional Principles (Annex II), the provisional provincial map (Annex III) and the Agreement for Peace in Bosnia and Herzegovina (Annex IV);

2. Welcomes the fact that this plan has now been accepted in full by two of the Bosnian parties;

3. Expresses its grave concern at the refusal so far of the Bosnian Serb party to accept the Agreement on Interim Arrangements and the provisional provincial map, and ***calls on*** that party to accept the peace plan in full;

4. Demands that all parties and others concerned continue to observe the cease-fire and refrain from any further hostilities;

5. Demands full respect for the right of the United Nations Protection Force (UNPROFOR) and the international humanitarian agencies to free and unimpeded

access to all areas in the Republic of Bosnia and Herzegovina, and that all parties, in particular the Bosnian Serb party and others concerned, cooperate fully with them and take all necessary steps to ensure the safety of their personnel;

6. *Condemns once again* all violations of international humanitarian law, including in particular the practice of "ethnic cleansing" and the massive, organized and systematic detention and rape of women, and ***reaffirms*** that those who commit or have committed or order or have ordered the commission of such acts will be held individually responsible in respect of such acts;

7. *Reaffirms* its endorsement of the principles that all statements or commitments made under duress, particularly those relating to land and property, are wholly null and void and that all displaced persons have the right to return in peace to their former homes and should be assisted to do so;

8. *Declares* its readiness to take all the necessary measures to assist the parties in the effective implementation of the peace plan once it has been agreed in full by all the parties, and ***requests*** the Secretary-General to submit to the Council at the earliest possible date, and if possible not later than nine days after the adoption of the present resolution, a report containing an account of the preparatory work for the implementation of the proposals referred to in paragraph 28 of the Secretary-General's report of 26 March 1993 (S/25479) and detailed proposals for the implementation of the peace plan, including arrangements for the effective international control of heavy weapons, based *inter alia* on consultations with Member States, acting nationally or through regional organizations or arrangements;

9. *Encourages* Member States, acting nationally or through regional organizations or arrangements, to cooperate effectively with the Secretary-General in his efforts to assist the parties in implementing the peace plan in accordance with paragraph 8 above;

B

Determined to strengthen the implementation of the measures imposed by its earlier relevant resolutions,

Acting under Chapter VII of the Charter of the United Nations,

10. *Decides* that the provisions set forth in paragraphs 12 to 30 below shall, to the extent that they establish obligations beyond those established by its earlier relevant resolutions, come into force nine days after the date of the adoption of the present resolution unless the Secretary-General has reported to the Council that the Bosnian Serb party has joined the other parties in signing the peace plan and in implementing it and that the Bosnian Serbs have ceased their military attacks;

11. *Decides further* that if, at any time after the submission of the above-mentioned report of the Secretary-General, the Secretary-General reports to the Council that the Bosnian Serbs have renewed their military attacks or failed to comply with the peace plan, the provisions set forth in paragraphs 12 to 30 below shall come into force immediately;

12. *Decides* that import to, export from and transshipment through the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, with the exception of essential humanitarian supplies including medical supplies and foodstuffs distributed by international humanitarian agencies, shall be permitted only with proper authorization from the Government of the Republic of Croatia or the Government of the Republic of Bosnia and Herzegovina respectively;

13. *Decides* that all States, in implementing the measures imposed by resolutions 757 (1992), 760 (1992), 787 (1992) and the present resolution, shall take steps to prevent diversion to the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) of commodities and products said to be destined for other places, in particular the United Nations Pro-

tected Areas in the Republic of Croatia and those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces;

14. Demands that all parties and others concerned cooperate fully with UNPROFOR in the fulfilment of its immigration and customs control functions deriving from resolution 769 (1992);

15. Decides that transshipments of commodities and products through the Federal Republic of Yugoslavia (Serbia and Montenegro) on the Danube shall be permitted only if specifically authorized by the Committee established by resolution 724 (1991) and that each vessel so authorized must be subject to effective monitoring while passing along the Danube between Vidin/Calafat and Mohacs;

16. Confirms that no vessels (a) registered in the Federal Republic of Yugoslavia (Serbia and Montenegro) or (b) in which a majority or controlling interest is held by a person or undertaking in or operating from the Federal Republic of Yugoslavia (Serbia and Montenegro) or (c) suspected of having violated or being in violation of resolutions 713 (1991), 757 (1992), 787 (1992) or the present resolution shall be permitted to pass through installations, including river locks or canals within the territory of Member States, and ***calls upon*** the riparian States to ensure that adequate monitoring is provided to all cabotage traffic involving points that are situated between Vidin/Calafat and Mohacs;

17. Reaffirms the responsibility of riparian States to take necessary measures to ensure that shipping on the Danube is in accordance with resolutions 713 (1991), 757 (1992), 787 (1992) and the present resolution, including any measures under the authority of the Security Council to halt or otherwise control all shipping in order to inspect and verify their cargoes and destinations, to ensure effective monitoring and to ensure strict implementation of the relevant resolutions, and ***reiterates*** its request in resolution 787 (1992) to all States, including non-riparian States, to provide, acting nationally or through regional organizations or arrangements, such assistance as may be required by the riparian States, notwithstanding the restrictions on navigation set out in the international agreements which apply to the Danube;

18. Requests the Committee established by resolution 724 (1991) to make periodic reports to the Security Council on information submitted to the Committee regarding alleged violations of the relevant resolutions, identifying where possible persons or entities, including vessels, reported to be engaged in such violations;

19. Reminds States of the importance of strict enforcement of measures imposed under Chapter VII of the Charter, and ***calls upon*** them to bring proceedings against persons and entities violating the measures imposed by resolutions 713 (1991), 757 (1992), 787 (1992) and the present resolution and to impose appropriate penalties;

20. Welcomes the role of the international Sanctions Assistance Missions in support of the implementation of the measures imposed under resolutions 713 (1991), 757 (1992), 787 (1992) and the present resolution and the appointment of the Sanctions Coordinator by the Conference on Security and Cooperation in Europe and ***invites*** the Sanctions Coordinator and the Sanctions Assistance Missions to work in close cooperation with the Committee established by resolution 724 (1991);

21. Decides that States in which there are funds, including any funds derived from property, (a) of the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro), or (b) of commercial, industrial or public utility undertakings in the Federal Republic of Yugoslavia (Serbia and Montenegro), or (c) controlled directly or indirectly by such authorities or undertakings or by entities, wherever located or organized, owned or controlled by such authorities or undertakings, shall require all persons and entities within their own territories holding such funds to freeze them to ensure that they are not made available directly or indirectly to or for the benefit of the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) or to any commer-

cial, industrial or public utility undertaking in the Federal Republic of Yugoslavia (Serbia and Montenegro), and ***calls on*** all States to report to the Committee established by resolution 724 (1991) on actions taken pursuant to this paragraph;

22. *Decides* to prohibit the transport of all commodities and products across the land borders or to or from the ports of the Federal Republic of Yugoslavia (Serbia and Montenegro), the only exceptions being:

(a) The importation of medical supplies and foodstuffs into the Federal Republic of Yugoslavia (Serbia and Montenegro) as provided for in resolution 757 (1992), in which connection the Committee established by resolution 724 (1991) will draw up rules for monitoring to ensure full compliance with this and other relevant resolutions;

(b) The importation of other essential humanitarian supplies into the Federal Republic of Yugoslavia (Serbia and Montenegro) approved on a case-by-case basis under the no-objection procedure by the Committee established by resolution 724 (1991);

(c) Strictly limited transshipments through the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro), when authorized on an exceptional basis by the Committee established by resolution 724 (1991), provided that nothing in this paragraph shall affect transshipment on the Danube in accordance with paragraph 15 above;

23. *Decides* that each State neighbouring the Federal Republic of Yugoslavia (Serbia and Montenegro) shall prevent the passage of all freight vehicles and rolling stock into or out of the Federal Republic of Yugoslavia (Serbia and Montenegro), except at a strictly limited number of road and rail border crossing points, the location of which shall be notified by each neighbouring State to the Committee established by resolution 724 (1991) and approved by the Committee;

24. *Decides* that all States shall impound all vessels, freight vehicles, rolling stock and aircraft in their territories in which a majority or controlling interest is held by a person or undertaking in or operating from the Federal Republic of Yugoslavia (Serbia and Montenegro) and that these vessels, freight vehicles, rolling stock and aircraft may be forfeit to the seizing State upon a determination that they have been in violation of resolutions 713 (1991), 757 (1992), 787 (1992) or the present resolution;

25. *Decides* that all States shall detain pending investigation all vessels, freight vehicles, rolling stock, aircraft and cargoes found in their territories and suspected of having violated or being in violation of resolutions 713 (1991), 757 (1992), 787 (1992) or the present resolution, and that, upon a determination that they have been in violation, such vessels, freight vehicles, rolling stock and aircraft shall be impounded and, where appropriate, they and their cargoes may be forfeit to the detaining State;

26. *Confirms* that States may charge the expense of impounding vessels, freight vehicles, rolling stock and aircraft to their owners;

27. *Decides* to prohibit the provision of services, both financial and non-financial, to any person or body for purposes of any business carried on in the Federal Republic of Yugoslavia (Serbia and Montenegro) the only exceptions being telecommunications, postal services, legal services consistent with resolution 757 (1992) and, as approved, on a case-by-case basis by the Committee established by resolution 724 (1991), services whose supply may be necessary for humanitarian or other exceptional purposes;

28. *Decides* to prohibit all commercial maritime traffic from entering the territorial sea of the Federal Republic of Yugoslavia (Serbia and Montenegro) except when authorized on a case-by-case basis by the Committee established by resolution 724 (1991) or in case of *force majeure*;

29. *Reaffirms* the authority of States acting under paragraph 12 of resolution 787 (1992) to use such measures commensurate with the specific circumstances as

may be necessary under the authority of the Security Council to enforce the present resolution and its other relevant resolutions, including in the territorial sea of the Federal Republic of Yugoslavia (Serbia and Montenegro);

30. *Confirms* that the provisions set forth in paragraphs 12 to 29 above, strengthening the implementation of the measures imposed by its earlier relevant resolutions, do not apply to activities related to UNPROFOR, the International Conference on the Former Yugoslavia or the European Community Monitoring Mission;

C

Desirous of achieving the full readmittance of the Federal Republic of Yugoslavia (Serbia and Montenegro) to the international community once it has fully implemented the relevant resolutions of the Council,

31. *Expresses its readiness,* after all three Bosnian parties have accepted the peace plan and on the basis of verified evidence, provided by the Secretary-General, that the Bosnian Serb party is cooperating in good faith in effective implementation of the plan, to review all the measures in the present resolution and its other relevant resolutions with a view to gradually lifting them;

32. *Invites* all States to consider what contribution they can make to the reconstruction of the Republic of Bosnia and Herzegovina;

33. *Decides* to remain actively seized of the matter.

STATEMENT BY THE PRESIDENT (to the press) 21 April 1993

After consultations of the Council held on 21 April 1993, the President of the Security Council made the following statement to the media on behalf of the members of the Council in connection with the item entitled "The situation in the Republic of Bosnia and Herzegovina":

The members of the Security Council are deeply concerned by the reports on the outbreak of military hostilities between Bosnian governmental forces and Bosnian Croat paramilitary units north and west of Sarajevo. They are appalled by the reports corroborated by UNPROFOR of atrocities and killings, in particular the setting on fire of Muslim houses and the shooting of entire families in two villages by Bosnian Croat paramilitary units.

The members of the Security Council strongly condemn this new outbreak of violence undermining the overall efforts to establish a cease-fire and achieve a political solution of the conflict in the Republic of Bosnia and Herzegovina and demand that Bosnian governmental forces and Bosnian Croat paramilitary units cease immediately those hostilities and that all parties refrain from taking any action which endangers the lives and well-being of the inhabitants of the region, strictly comply with their previous commitments including the cease-fire and redouble their efforts to settle the conflict. They call upon all the parties to cooperate with the current efforts in this regard by UNPROFOR and Lord Owen, Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia.

The members of the Security Council also demand that the Bosnian Serbs fully implement resolution 819 (1993), including the immediate withdrawal from the areas surrounding Srebrenica, and allow UNPROFOR personnel unimpeded access to the town.

RESOLUTION 821 (1993) 28 April 1993

Adopted by a vote of 13 in favour, 0 against and 2 abstentions (China and the Russian Federation).

Sponsors: France, Spain, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Considering that the State formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist,

Recalling resolution 757 (1992) of 30 May 1992 which notes that "the claim by the Federal Republic of Yugoslavia (Serbia and Montenegro) to continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations has not been generally accepted",

Recalling also its resolution 777 (1992) of 19 September 1992, in which it recommended to the General Assembly that it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and that it shall not participate in the work of the General Assembly,

Recalling further that the General Assembly by resolution 47/1 of 22 September 1992, having received the recommendation of the Security Council of 19 September 1992, considered that the Federal Republic of Yugoslavia (Serbia and Montenegro) could not continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations; and therefore decided that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and that it shall not participate in the work of the General Assembly,

Recalling further that in its resolution 777 (1992) the Council decided to consider the matter again before the end of the main part of the forty-seventh session of the General Assembly, and that in December 1992 the members of the Council agreed to keep the subject-matter of resolution 777 (1992) under continuous review and to consider it again at a later date (S/24924),

1. Reaffirms that the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations; and therefore ***recommends*** to the General Assembly that, further to the decisions taken in resolution 47/1, it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) shall not participate in the work of the Economic and Social Council;

2. Decides to consider the matter again before the end of the forty-seventh session of the General Assembly.

On 29 April 1993, the United Nations General Assembly agreed with the Security Council recommendation by adopting its resolution 47/229.

STATEMENT BY THE PRESIDENT (to the press) 3 May 1993

Following consultations held on 3 May 1993, the President of the Security Council made the following statement to the press:

The members of the Security Council welcome the fact that the Vance-Owen peace plan has now been signed in its entirety by all the parties. They welcome also the report by the Secretary-General on the activities of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, and will consider urgently what concrete actions to take in the light of that report. They have started consultations to that effect.

RESOLUTION 824 (1993) 6 May 1993

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming all its earlier relevant resolutions,

Reaffirming also the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Having considered the report of the Mission of the Security Council to the Republic of Bosnia and Herzegovina (S/25700) authorized by resolution 819 (1993), and in particular, its recommendations that the concept of safe areas be extended to other towns in need of safety,

Reaffirming again its condemnation of all violations of international humanitarian law, in particular, ethnic

cleansing and all practices conducive thereto, as well as the denial or the obstruction of access of civilians to humanitarian aid and services such as medical assistance and basic utilities,

Taking into consideration the urgent security and humanitarian needs faced by several towns in the Republic of Bosnia and Herzegovina as exacerbated by the constant influx of large numbers of displaced persons including, in particular, the sick and wounded,

Taking also into consideration the formal request submitted by the Republic of Bosnia and Herzegovina (S/25718),

Deeply concerned at the continuing armed hostilities by Bosnian Serb paramilitary units against several towns in the Republic of Bosnia and Herzegovina and determined to ensure peace and stability throughout the country, most immediately in the towns of Sarajevo, Tuzla, Zepa, Gorazde, Bihac, as well as Srebrenica,

Convinced that the threatened towns and their surroundings should be treated as safe areas, free from armed attacks and from any other hostile acts which endanger the well-being and the safety of their inhabitants,

Aware in this context of the unique character of the city of Sarajevo, as a multicultural, multi-ethnic and pluri-religious centre which exemplifies the viability of coexistence and interrelations between all the communities of the Republic of Bosnia and Herzegovina, and of the need to preserve it and avoid its further destruction,

Affirming that nothing in the present resolution should be construed as contradicting or in any way departing from the spirit or the letter of the peace plan for the Republic of Bosnia and Herzegovina,

Convinced that treating the towns referred to above as safe areas will contribute to the early implementation of the peace plan,

Convinced also that further steps must be taken as necessary to achieve the security of all such safe areas,

Recalling the provisions of resolution 815 (1993) on the mandate of UNPROFOR and in that context ***acting*** under Chapter VII of the Charter,

1. Welcomes the report of the Mission of the Security Council established pursuant to resolution 819 (1993), and in particular its recommendations concerning safe areas;

2. Demands that any taking of territory by force cease immediately;

3. Declares that the capital city of the Republic of Bosnia and Herzegovina, Sarajevo, and other such threatened areas, in particular the towns of Tuzla, Zepa, Gorazde, Bihac, as well as Srebrenica, and their surroundings should be treated as safe areas by all the parties concerned and should be free from armed attacks and from any other hostile act;

4. Further declares that in these safe areas the following should be observed:

(a) The immediate cessation of armed attacks or any hostile act against these safe areas, and the withdrawal of all Bosnian Serb military or paramilitary units from these towns to a distance wherefrom they cease to constitute a menace to their security and that of their inhabitants to be monitored by United Nations military observers;

(b) Full respect by all parties of the rights of the United Nations Protection Force (UNPROFOR) and the international humanitarian agencies to free and unimpeded access to all safe-areas in the Republic of Bosnia and Herzegovina and full respect for the safety of the personnel engaged in these operations;

5. Demands to that end that all parties and others concerned cooperate fully with UNPROFOR and take any necessary measures to respect these safe areas;

6. Requests the Secretary-General to take appropriate measures with a view to monitoring the humanitarian situation in the safe areas and to that end, authorizes the strengthening of UNPROFOR by an additional

50 United Nations military observers, together with related equipment and logistical support; and in this connection, also ***demands*** that all parties and all others concerned cooperate fully and promptly with UNPROFOR;

7. Declares its readiness, in the event of the failure by any party to comply with the present resolution, to consider immediately the adoption of any additional measures necessary with a view to its full implementation, including to ensure respect for the safety of United Nations personnel;

8. Declares also that arrangements pursuant to the present resolution shall remain in force up until the provisions for the cessation of hostilities, separation of forces and supervision of heavy weaponry as envisaged in the peace plan for the Republic of Bosnia and Herzegovina, are implemented;

9. Decides to remain seized of the matter.

STATEMENT BY THE PRESIDENT (to the press) 7 May 1993

Following consultations held on 7 May 1993, the President of the Security Council made the following statement to the press:

Members of the Security Council reaffirmed their position that the basis for a peaceful solution to the conflict in Bosnia and Herzegovina is the Vance-Owen peace plan and that the Bosnian Serbs must return to it.

They also expressed the conviction that preparatory work for implementation of the plan by the Secretary-General and others should continue actively in the interim.

STATEMENT BY THE PRESIDENT 10 May 1993

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3210th meeting, on 10 May 1993, in connection with the Council's consideration of the item entitled "The situation in the Republic of Bosnia and Herzegovina":

The Security Council, recalling its statement of 21 April 1993 (S/25646) concerning the atrocities and killings in areas north and west of Sarajevo, expresses its grave concern at the major new military offensive launched by Bosnian Croat paramilitary units in the areas of Mostar, Jablanica and Dreznica.

The Security Council strongly condemns this major military offensive launched by Bosnian Croat paramilitary units which is totally inconsistent with the signature of the Peace Plan for the Republic of Bosnia and Herzegovina by the Bosnian Croat party. The Council demands that the attacks against the areas of Mostar, Jablanica and Dreznica cease forthwith; that Bosnian Croat paramilitary units withdraw immediately from the area and that all the parties strictly comply with their previous commitments as well as the cease-fire agreed to today between the Government of the Republic of Bosnia and Herzegovina and the Bosnian Croat party.

The Security Council also expresses its deep concern that the UNPROFOR battalion in the area has been forced under fire to redeploy as a result of this latest offensive and condemns the refusal of Bosnian Croat paramilitary units to allow the presence of United Nations military observers, in particular in the city of Mostar.

The Security Council once again reiterates its demand that UNPROFOR personnel be allowed unimpeded access throughout the Republic of Bosnia and Herzegovina and, in this particular case, demands that the Bosnian Croat paramilitary units ensure the safety and security of UNPROFOR as well as all United Nations personnel in the areas of Mostar, Jablanica and Dreznica. In this connection, the Council expresses its deep concern at the increasing hostile attitude of Bosnian Croat paramilitary units towards UNPROFOR personnel.

The Security Council calls upon the Republic of Croatia, in accordance with the commitments under the Zagreb agreement of 25 April 1993 (S/25659), to exert all its influence on the Bosnian Croat leadership and

paramilitary units with a view to ceasing immediately their attacks particularly in the areas of Mostar, Jablanica and Dreznica. It further calls on the Republic of Croatia to adhere strictly to its obligations under Security Council resolution 752, including putting an end to all forms of interference and respecting the territorial integrity of the Republic of Bosnia and Herzegovina.

The Security Council once again reaffirms the sovereignty, territorial integrity and independence of the Republic of Bosnia and Herzegovina and the inacceptability of the acquisition of territory by force and the practice of "ethnic cleansing".

The Security Council remains seized of the matter and is ready to consider further measures to ensure that all parties and others concerned abide by their commitments and fully respect relevant Council decisions.

STATEMENT BY THE PRESIDENT (to the press) 14 May 1993

Following consultations held this afternoon, the President of the Security Council made the following statement to the press:

The Council has asked me to convey its indignation and grief at the tragic death of Lieutenant Arturo Muñoz Castellanos, a member of the United Nations Protection Force (UNPROFOR) Spanish battalion serving with UNPROFOR in Bosnia and Herzegovina, who succumbed on 13 May to wounds incurred in a grenade attack on 11 May in Mostar.

The Council expresses its heartfelt condolences to the family of Lieutenant Castellanos and the Government of Spain, whose troops have thus suffered their first casualty in the cause of United Nations peace-keeping. This death brings to 41 the number of fatalities suffered by UNPROFOR in the last 12 months. It is, in the view of the Council, 41 too many.

RESOLUTION 827 (1993) 25 May 1993

Adopted by unanimous vote.

Sponsors: France, New Zealand, the Russian Federation, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Having considered the report of the Secretary-General (S/25704 and Add.1) pursuant to paragraph 2 of resolution 808 (1993),

Expressing once again its grave alarm at continuing reports of widespread and flagrant violations of international humanitarian law occurring within the territory of the former Yugoslavia, and especially in the Republic of Bosnia and Herzegovina, including reports of mass killings, massive, organized and systematic detention and rape of women, and the continuance of the practice of "ethnic cleansing", including for the acquisition and the holding of territory,

Determining that this situation continues to constitute a threat to international peace and security,

Determined to put an end to such crimes and to take effective measures to bring to justice the persons who are responsible for them,

Convinced that in the particular circumstances of the former Yugoslavia the establishment as an ad hoc measure by the Council of an international tribunal and the prosecution of persons responsible for serious violations of international humanitarian law would enable this aim to be achieved and would contribute to the restoration and maintenance of peace,

Believing that the establishment of an international tribunal and the prosecution of persons responsible for the above-mentioned violations of international humanitarian law will contribute to ensuring that such violations are halted and effectively redressed,

Noting in this regard the recommendation by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia for the establishment of such a tribunal (S/25221),

Reaffirming in this regard its decision in resolution 808 (1993) that an international tribunal shall be established for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991,

Considering that, pending the appointment of the Prosecutor of the International Tribunal, the Commission of Experts established pursuant to resolution 780 (1992) should continue on an urgent basis the collection of information relating to evidence of grave breaches of the Geneva Conventions and other violations of international humanitarian law as proposed in its interim report (S/25274),

Acting under Chapter VII of the Charter of the United Nations,

1. *Approves* the report of the Secretary-General;

2. *Decides* hereby to establish an international tribunal for the sole purpose of prosecuting persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia between 1 January 1991 and a date to be determined by the Security Council upon the restoration of peace and to this end to adopt the Statute of the International Tribunal annexed to the above-mentioned report;

3. *Requests* the Secretary-General to submit to the judges of the International Tribunal, upon their election, any suggestions received from States for the rules of procedure and evidence called for in Article 15 of the Statute of the International Tribunal;

4. *Decides* that all States shall cooperate fully with the International Tribunal and its organs in accordance with the present resolution and the Statute of the International Tribunal and that consequently all States shall take any measures necessary under their domestic law to implement the provisions of the present resolution and the Statute, including the obligation of States to comply with requests for assistance or orders issued by a Trial Chamber under Article 29 of the Statute;

5. *Urges* States and intergovernmental and non-governmental organizations to contribute funds, equipment and services to the International Tribunal, including the offer of expert personnel;

6. *Decides* that the determination of the seat of the International Tribunal is subject to the conclusion of appropriate arrangements between the United Nations and the Netherlands acceptable to the Council, and that the International Tribunal may sit elsewhere when it considers it necessary for the efficient exercise of its functions;

7. *Decides also* that the work of the International Tribunal shall be carried out without prejudice to the right of the victims to seek, through appropriate means, compensation for damages incurred as a result of violations of international humanitarian law;

8. *Requests* the Secretary-General to implement urgently the present resolution and in particular to make practical arrangements for the effective functioning of the International Tribunal at the earliest time and to report periodically to the Council;

9. *Decides* to remain actively seized of the matter.

STATEMENT BY THE PRESIDENT (to the press) 1 June 1993

Following consultations held this afternoon, the President of the Security Council made the following statement to the press:

The members of the Security Council have learned with distress of the killing of two Danish civilian drivers in Bosnia and Herzegovina today. The two were killed, and another Danish driver seriously injured, by an explosion on the route taken by their United Nations High Commissioner for Refugees (UNHCR) convoy between Maglaj and Zenica, whose cause is still being

investigated by the United Nations Protection Force (UNPROFOR). Their deaths, and that of three Italian drivers working for a non-governmental organization on 29 May, are a stark reminder of the risks being run by brave civilian personnel from around the world in the effort to bring humanitarian aid to the suffering civilian population of Bosnia and Herzegovina. The targeting of humanitarian convoys by the parties to the conflict remains totally unacceptable to the Security Council.

The members of the Council have also learned of the killing of an Uruguayan member of the United Nations Transitional Authority in Cambodia (UNTAC) yesterday, 31 May, in an attack against a convoy in Kompong Cham province in Cambodia. A Polish member of UNTAC was seriously wounded in the same attack, which is being investigated by UNTAC.

The members of the Security Council convey their heartfelt condolences to the Governments and people of Denmark, Italy and Uruguay, as well as to the bereaved families.

RESOLUTION 836 (1993)
4 June 1993

Adopted by a vote of 13 in favour, 0 against and 2 abstentions (Pakistan and Venezuela).

Sponsors: France, the Russian Federation, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Reaffirming in particular its resolutions 819 (1993) of 16 April 1993 and 824 (1993) of 6 May 1993, which demanded that certain towns and their surrounding areas in the Republic of Bosnia and Herzegovina should be treated as safe areas,

Reaffirming the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina and the responsibility of the Security Council in this regard,

Condemning military attacks, and actions that do not respect the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina, which, as a State Member of the United Nations, enjoys the rights provided for in the Charter of the United Nations,

Reiterating its alarm at the grave and intolerable situation in the Republic of Bosnia and Herzegovina arising from serious violations of international humanitarian law,

Reaffirming once again that any taking of territory by force or any practice of "ethnic cleansing" is unlawful and totally unacceptable,

Commending the Government of the Republic of Bosnia and Herzegovina and the Bosnian Croat party for having signed the Vance-Owen Plan,

Gravely concerned at the persistent refusal of the Bosnian Serb party to accept the Vance-Owen Plan and ***calling upon*** that party to accept the Peace Plan for the Republic of Bosnia and Herzegovina in full,

Deeply concerned by the continuing armed hostilities in the territory of the Republic of Bosnia and Herzegovina which run totally counter to the Peace Plan,

Alarmed by the resulting plight of the civilian population in the territory of the Republic of Bosnia and Herzegovina in particular in Sarajevo, Bihac, Srebrenica, Gorazde, Tuzla and Zepa,

Condemning the obstruction, primarily by the Bosnian Serb party, of the delivery of humanitarian assistance,

Determined to ensure the protection of the civilian population in safe areas and to promote a lasting political solution,

Confirming the ban on military flights in the airspace of the Republic of Bosnia and Herzegovina, established

by resolutions 781 (1992) of 9 October 1992, 786 (1992) of 10 November 1992 and 816 (1993) of 31 March 1993,

Affirming that the concept of safe areas in the Republic of Bosnia and Herzegovina as contained in resolutions 819 (1993) and 824 (1993) was adopted to respond to an emergency situation, and ***noting*** that the concept proposed by France in document S/25800 and by others could make a valuable contribution and should not in any way be taken as an end in itself, but as a part of the Vance-Owen process and as a first step towards a just and lasting political solution,

Convinced that treating the towns and surrounding areas referred to above as safe areas will contribute to the early implementation of that objective,

Stressing that the lasting solution to the conflict in the Republic of Bosnia and Herzegovina must be based on the following principles: immediate and complete cessation of hostilities; withdrawal from territories seized by the use of force and "ethnic cleansing"; reversal of the consequences of "ethnic cleansing" and recognition of the right of all refugees to return to their homes; and respect for the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Noting also the crucial work being done throughout the Republic of Bosnia and Herzegovina by the United Nations Protection Force (UNPROFOR), and the importance of such work continuing,

Determining that the situation in the Republic of Bosnia and Herzegovina continues to be a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. Calls for the full and immediate implementation of all its relevant resolutions;

2. Commends the Peace Plan for the Republic of Bosnia and Herzegovina as contained in document S/25479;

3. Reaffirms the unacceptability of the acquisition of territory by the use of force and the need to restore the full sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina;

4. Decides to ensure full respect for the safe areas referred to in resolution 824 (1993);

5. Decides to extend to that end the mandate of UNPROFOR in order to enable it, in the safe areas referred to in resolution 824 (1993), to deter attacks against the safe areas, to monitor the cease-fire, to promote the withdrawal of military or paramilitary units other than those of the Government of the Republic of Bosnia and Herzegovina and to occupy some key points on the ground, in addition to participating in the delivery of humanitarian relief to the population as provided for in resolution 776 (1992) of 14 September 1992;

6. Affirms that these safe areas are a temporary measure and that the primary objective remains to reverse the consequences of the use of force and to allow all persons displaced from their homes in the Republic of Bosnia and Herzegovina to return to their homes in peace, beginning, *inter alia*, with the prompt implementation of the provisions of the Vance-Owen Plan in areas where those have been agreed by the parties directly concerned;

7. Requests the Secretary-General, in consultation, *inter alia*, with the Governments of the Member States contributing forces to UNPROFOR:

(a) To make the adjustments or reinforcement of UNPROFOR which might be required by the implementation of the present resolution, and to consider assigning UNPROFOR elements in support of the elements entrusted with protection of safe areas, with the agreement of the Governments contributing forces;

(b) To direct the UNPROFOR Force Commander to

redeploy to the extent possible the forces under his command in the Republic of Bosnia and Herzegovina;

8. *Calls upon* Member States to contribute forces, including logistic support, to facilitate the implementation of the provisions regarding the safe areas, ***expresses its gratitude*** to Member States already providing forces for that purpose and ***invites*** the Secretary-General to seek additional contingents from other Member States;

9. *Authorizes* UNPROFOR, in addition to the mandate defined in resolutions 770 (1992) of 13 August 1992 and 776 (1992), in carrying out the mandate defined in paragraph 5 above, acting in self-defence, to take the necessary measures, including the use of force, in reply to bombardments against the safe areas by any of the parties or to armed incursion into them or in the event of any deliberate obstruction in or around those areas to the freedom of movement of UNPROFOR or of protected humanitarian convoys;

10. *Decides* that, notwithstanding paragraph 1 of resolution 816 (1993), Member States, acting nationally or through regional organizations or arrangements, may take, under the authority of the Security Council and subject to close coordination with the Secretary-General and UNPROFOR, all necessary measures, through the use of air power, in and around the safe areas in the Republic of Bosnia and Herzegovina, to support UNPROFOR in the performance of its mandate set out in paragraphs 5 and 9 above;

11. *Requests* the Member States concerned, the Secretary-General and UNPROFOR to coordinate closely on the measures they are taking to implement paragraph 10 above and to report to the Council through the Secretary-General;

12. *Invites* the Secretary-General to report to the Council, for decision, if possible within seven days of the adoption of the present resolution, on the modalities of its implementation, including its financial implications;

13. *Further invites* the Secretary-General to submit to the Council, not later than two months after the adoption of the present resolution, a report on the implementation of and compliance with the present resolution;

14. *Emphasizes* that it will keep open other options for new and tougher measures, none of which is prejudged or excluded from consideration;

15. *Decides* to remain actively seized of the matter, and ***undertakes*** to take prompt action, as required.

STATEMENT BY THE PRESIDENT
8 June 1993

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3231st meeting, on 8 June 1993, in connection with the Council's consideration of the item entitled "The situation prevailing in and adjacent to the United Nations Protected Areas in Croatia":

Having examined the situation in the United Nations Protected Areas (UNPAs) in the Republic of Croatia, the Security Council is deeply concerned by the failure of the Krajina Serbs to participate in talks on the implementation of its resolution 802 (1993) which were to be held in Zagreb on 26 May 1993. It deplores the interruption of the dialogue between the parties, which had recently produced encouraging signs of progress.

The Council stresses its support for the peace process under the auspices of the Co-Chairmen of the International Conference on the Former Yugoslavia and urges the parties to solve all problems which might arise by peaceful means and resume the talks immediately with a view to the rapid implementation of resolution 802 (1993) and all other relevant resolutions. The Council expresses its willingness to help ensure the implementation of an agreement on this basis reached by the parties, including respect for the rights of the local Serb population.

The Council reminds the parties that the UNPAs are integral parts of the territory of the Republic of Croatia, and that no action inconsistent with this would be acceptable.

The Council reiterates its demand that international humanitarian law be fully respected in the UNPAs.

The Council urges the Government of the Republic of Croatia, in cooperation with other interested parties, to take all necessary measures to ensure the full protection of the rights of all residents of the UNPAs when the Republic of Croatia exercises fully its authority in these Areas.

RESOLUTION 838 (1993)
10 June 1993

Adopted by unanimous vote.

Sponsors: France, the Russian Federation, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Reaffirming the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina and the responsibility of the Security Council in this regard,

Reiterating the demands in its resolution 752 (1992) and subsequent relevant resolutions that all forms of interference from outside the Republic of Bosnia and Herzegovina cease immediately and that its neighbours take swift action to end all interference and respect its territorial integrity,

Recalling the demand in its resolution 819 (1993) that the Federal Republic of Yugoslavia (Serbia and Montenegro) immediately cease the supply of military arms, equipment and services to Bosnian Serb paramilitary units,

Taking into account the report of the Secretary-General dated 21 December 1992 (S/25000) on the possible deployment of observers on the borders of the Republic of Bosnia and Herzegovina,

Expressing its condemnation of all activities carried out in violation of resolutions 757 (1992), 787 (1992) and 820 (1993) between the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces,

Considering that, in order to facilitate the implementation of the relevant Security Council resolutions, observers should be deployed on the borders of the Republic of Bosnia and Herzegovina, as indicated in its resolution 787 (1992),

Taking note of the earlier preparedness of the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) to stop all but humanitarian supplies to the Bosnian Serb party, and ***urging*** full implementation of that commitment,

Considering that all appropriate measures should be undertaken to achieve a peaceful settlement of the conflict in the Republic of Bosnia and Herzegovina provided for in the Vance-Owen Peace Plan,

Bearing in mind paragraph 4 (a) of its resolution 757 (1992) concerning the prevention by all States of imports into their territories of all commodities and products originating in or exported from the Federal Republic of Yugoslavia (Serbia and Montenegro) and paragraph 12 of its resolution 820 (1993) concerning import to, export from and transshipment through those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces,

1. Requests the Secretary-General to submit to the Council as soon as possible a further report on options for the deployment of international observers to monitor effectively the implementation of the relevant Security Council resolutions, to be drawn from the United Nations and, if appropriate, from Member States acting nationally or through regional organizations and arrangements, on the borders of the Republic of Bosnia and Herzegovina, giving priority to the border between the Republic of Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montene-

gro) and taking into account developments since his report of 21 December 1992 as well as the differing circumstances affecting the various sectors of the borders and the need for appropriate coordination mechanisms;

2. *Invites* the Secretary-General to contact immediately Member States, nationally or through regional organizations or arrangements, to ensure the availability to him on a continuing basis of any relevant material derived from aerial surveillance and to report thereon to the Security Council;

3. *Decides* to remain seized of the matter.

RESOLUTION 842 (1993)
18 June 1993

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolution 743 (1992) and all subsequent resolutions relating to the United Nations Protection Force (UNPROFOR),

Recalling in particular resolution 795 (1992) of 11 December 1992 which authorized the UNPROFOR presence in the former Yugoslav Republic of Macedonia,

Welcoming the important contribution of the existing UNPROFOR presence in the former Yugoslav Republic of Macedonia to stability in the region,

Seeking to support efforts for a peaceful resolution to the situation in the former Yugoslavia as it relates to the former Yugoslav Republic of Macedonia as provided for in the Secretary-General's report of 10 December 1992 (S/24923) and approved by resolution 795 (1992) of 11 December 1992,

Noting with appreciation the offer made by a Member State (S/25954 and Add.1) to contribute additional personnel to the UNPROFOR presence in the former Yugoslav Republic of Macedonia, and the latter Government's favourable response thereto,

1. *Welcomes* the offer made by a Member State to contribute additional personnel to the UNPROFOR presence in the former Yugoslav Republic of Macedonia and ***decides*** to expand the size of UNPROFOR accordingly and to authorize the deployment of these additional personnel;

2. *Decides* to remain seized of the matter.

RESOLUTION 843 (1993)
18 June 1993

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Recalling its resolution 724 (1991) concerning Yugoslavia and all other relevant resolutions,

Recalling also Article 50 of the Charter of the United Nations,

Conscious of the fact that an increasing number of requests for assistance have been received under the provisions of Article 50 of the Charter of the United Nations,

Noting that the Security Council Committee established pursuant to resolution 724 (1991), at its 65th meeting, set up a working group to examine the above-mentioned requests,

1. *Confirms* that the Committee established pursuant to resolution 724 (1991) is entrusted with the task of examining requests for assistance under the provisions of Article 50 of the Charter of the United Nations;

2. *Welcomes* the establishment by the Committee of its working group and ***invites*** the Committee, as it completes the examination of each request, to make recommendations to the President of the Security Council for appropriate action.

RESOLUTION 844 (1993)
18 June 1993

Adopted by unanimous vote.

Sponsors: France, the Russian Federation, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Having considered the report of the Secretary-General (S/25939 and Corr.1 and Add.1) pursuant to paragraph 12 of resolution 836 (1993) concerning the safe areas in the Republic of Bosnia and Herzegovina,

Reiterating once again its alarm at the grave and intolerable situation in the Republic of Bosnia and Herzegovina arising from serious violations of international humanitarian law,

Recalling the overwhelming importance of seeking a comprehensive political solution to the conflict in the Republic of Bosnia and Herzegovina,

Determined to implement fully the provisions of resolution 836 (1993),

Acting under Chapter VII of the Charter of the United Nations,

1. Approves the report of the Secretary-General;

2. Decides to authorize the reinforcement of the United Nations Protection Force (UNPROFOR) to meet the additional force requirements mentioned in paragraph 6 of the report of the Secretary-General as an initial approach;

3. Requests the Secretary-General to continue the consultations, *inter alia*, with the Governments of the Member States contributing forces to UNPROFOR, called for in resolution 836 (1993);

4. Reaffirms its decision in paragraph 10 of resolution 836 (1993) on the use of air power, in and around the safe areas, to support UNPROFOR in the performance of its mandate, and ***encourages*** Member States, acting nationally or through regional organizations or arrangements, to coordinate closely with the Secretary-General in this regard;

5. Calls upon Member States to contribute forces, including logistic support and equipment to facilitate the implementation of the provisions regarding the safe areas;

6.Invites the Secretary-General to report to the Council on a regular basis on the implementation of resolution 836 (1993) and this resolution;

7. Decides to remain actively seized of the matter.

RESOLUTION 845 (1993)
18 June 1993

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Recalling its resolution 817 (1993) of 7 April 1993, in which it urged Greece and the former Yugoslav Republic of Macedonia to continue to cooperate with the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia in order to arrive at a speedy settlement of their difference,

Having considered the report of the Secretary-General submitted pursuant to resolution 817 (1993), together with the statement of the Government of Greece and the letter of the President of the former Yugoslav Republic of Macedonia dated 27 and 29 May 1993 respectively (S/25855 and Add.1 and 2),

1. Expresses its appreciation to the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia for their efforts and ***commends*** to the parties as a sound basis for the settlement of their difference the proposals set forth in annex V to the report of the Secretary-General;

2. Urges the parties to continue their efforts under the

auspices of the Secretary-General to arrive at a speedy settlement of the remaining issues between them;

3. *Requests* the Secretary-General to keep the Council informed on the progress of these further efforts, the objective of which is to resolve the difference between the two parties before the commencement of the forty-eighth session of the General Assembly, and to report to the Council on their outcome in good time, and ***decides*** to resume consideration of the matter in the light of the report.

DRAFT RESOLUTION
29 June 1993

Not adopted by a vote of 6 in favour, 0 against and 9 abstentions (Brazil, China, France, Hungary, Japan, New Zealand, the Russian Federation, Spain and the United Kingdom of Great Britain and Northern Ireland).

Sponsors: Cape Verde, Djibouti, Morocco, Pakistan and Venezuela. The draft was also co-sponsored by Afghanistan, Albania, Algeria, the Comoros, Egypt, Estonia, Indonesia, the Islamic Republic of Iran, Jordan, Latvia, the Libyan Arab Jamahiriya, Malaysia, Senegal, the Syrian Arab Republic, Tunisia, Turkey and the United Arab Emirates.

The Security Council,

Recalling all its previous resolutions on the conflict in the Republic of Bosnia and Herzegovina,

Recognizing that the Republic of Bosnia and Herzegovina is a sovereign, independent State and a Member of the United Nations,

Reaffirming that the Republic of Bosnia and Herzegovina, as a State Member of the United Nations, enjoys the rights provided for in the Charter of the United Nations,

Noting that the Republic of Bosnia and Herzegovina has continued to be subjected to armed hostilities in contravention of Security Council resolution 713 (1991) and other relevant Security Council resolutions and that, despite all efforts by the United Nations as well as regional organizations and arrangements, the Bosnian Serb party continues to refuse to comply with all relevant resolutions in flagrant contempt of the Security Council,

Commending the Government of the Republic of Bosnia and Herzegovina for its constructive and responsible policies as manifested in its acceptance of all the documents negotiated in the peace process,

Affirming that the international community has the responsibility to secure fully the independence, territorial integrity and unity of the Republic of Bosnia and Herzegovina, as well as to prevent acts of genocide and of crimes against humanity,

Reaffirming once again its total and complete rejection of the acquisition of territory through the use of force and the practice of "ethnic cleansing",

Stressing that a solution to the conflict in Bosnia and Herzegovina must be based on the following principles:

(a) Immediate cessation of hostilities;

(b) Withdrawal from the territories occupied by force and ethnic cleansing;

(c) Reversal of the consequences of the reprehensible policy of ethnic cleansing and recognition of the right of all Bosnian refugees to return to their homes;

(d) Restoration of the territorial integrity and unity of the Republic of Bosnia and Herzegovina;

Taking note that the International Court of Justice in its Order of 8 April 1993 in the case concerning application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Yugoslavia (Serbia and Montenegro)) unanimously indicated as a provisional measure that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) should immediately, in pursuance of its undertaking in the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948, take all measures within its power to prevent the commission of the crime of genocide,

Recalling also the call made to it by the World Conference on Human Rights to take the necessary measures to end the genocide taking place in Bosnia and Herzegovina, in particular in Gorazde,

Mindful of its duties and responsibilities under the Charter of the United Nations for the maintenance and preservation of international peace and security,

Determining that the grave situation in the Republic of Bosnia and Herzegovina continues to be a threat to international peace and security,

Acting under Chapter VII of the Charter,

1. Reaffirms the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina;

2. Demands that all hostilities within the territory of the Republic of Bosnia and Herzegovina be halted forthwith and the consequences of hostilities against the Republic of Bosnia and Herzegovina be reversed in accordance with the principles outlined above;

3. Decides to exempt the Government of the Republic of Bosnia and Herzegovina from the arms embargo imposed on former Yugoslavia by its resolution 713 (1991) with the sole purpose of enabling the Republic of Bosnia and Herzegovina to exercise its inherent right of self-defence;

4. Decides to remain actively seized of the matter.

RESOLUTION 847 (1993)
30 June 1993

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolution 743 (1992) and all subsequent resolutions relating to the United Nations Protection Force (UNPROFOR),

Having considered the reports of the Secretary-General of 15 May 1993 (S/25777 and Corr.1 and Add.1) and of 25 June 1993 (S/25993),

Having considered also the letter by the President of the Republic of Croatia of 26 June 1993 addressed to the Secretary-General (S/26002),

Recalling the overwhelming importance of seeking, on the basis of the relevant resolutions of the Security Council, comprehensive political solutions to the conflicts in the territory of the former Yugoslavia, and of sustaining confidence and stability in the former Yugoslav Republic of Macedonia,

Strongly condemning continuing military attacks within the territory of the Republics of Croatia and of Bosnia and Herzegovina, and ***reaffirming*** its commitment to ensure respect for the sovereignty and territorial integrity of the Republic of Croatia and of the other Member States where UNPROFOR is deployed,

Calling on the parties and others concerned to reach an agreement on confidence-building measures in the territory of the Republic of Croatia, including the opening of the railroad between Zagreb and Split, the highway between Zagreb and Zupanja, and the Adriatic oil pipeline, securing the uninterrupted traffic across the Maslenica straits, and restoring the supply of electricity and water to all regions of the Republic of Croatia including the United Nations Protected Areas,

Determined to ensure the security of UNPROFOR and its freedom of movement for all its missions, and to these ends, as regards UNPROFOR in the Republic of Croatia and the Republic of Bosnia and Herzegovina, ***acting*** under Chapter VII of the Charter of the United Nations,

1. Approves the report of the Secretary-General of 25 June 1993 (S/25993) and the request for additional resources contained in paragraphs 22, 24 and 25 of his report of 15 May 1993 (S/25777);

2. Requests the Secretary-General to report one month after the adoption of the present resolution on progress towards implementation of the United Nations peace-

keeping plan for Croatia and all relevant Security Council resolutions, taking into account the position of the Croatian Government, and ***decides*** to reconsider, in the light of that report, UNPROFOR's mandate in the territory of the Republic of Croatia;

3. Decides, in this context, to extend UNPROFOR's mandate for an additional interim period terminating on 30 September 1993;

4. Requests the Secretary-General to keep the Council regularly informed on developments in regard to the implementation of UNPROFOR's mandate;

5. Decides to remain actively seized of the matter.

STATEMENT BY THE PRESIDENT
15 July 1993

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3255th meeting, on 15 July 1993, in connection with the Council's consideration of the item entitled "The situation prevailing in and adjacent to the United Nations Protected Areas in Croatia":

The Security Council is deeply concerned at the information contained in the letter of the Secretary-General of 14 July 1993 (S/26082) on the situation in and around the United Nations Protected Areas (UNPAs) in the Republic of Croatia. It recalls its resolutions 802 (1993) and 847 (1993) and in particular the demand in the former that all parties and others concerned comply strictly with the cease-fire arrangements already agreed and the call on them in the latter to reach an agreement on confidence-building measures.

The Security Council expresses its deep concern at the latest report on hostilities in the UNPAs, including in particular by the Krajina Serbs, and demands that these hostilities cease immediately.

The Security Council continues to attach the highest importance to securing the reopening of the Maslenica crossing to civilian traffic. In this context it reaffirms its support for the sovereignty and territorial integrity of the Republic of Croatia. It recognizes the real and legitimate concern of the Government of the Republic of Croatia in such reopening, as set out in the letter of 12 July 1993 from the Permanent Representative of the Republic of Croatia (S/26074). It also recalls the demand in its resolution 802 (1993) that the Croatian armed forces withdraw from the areas in question.

The Security Council considers that the planned unilateral reopening of the Maslenica bridge and of Zemunik Airport on 18 July 1993, in the absence of agreement between the parties and others concerned in cooperation with the United Nations Protection Force (UNPROFOR), would jeopardize the objectives of the Council's resolutions and in particular the call in its resolution 847 (1993) for agreement on confidence-building measures and the efforts of the Co-Chairmen of the International Conference on the Former Yugoslavia and UNPROFOR to achieve a negotiated settlement to the problem. It urges the Government of the Republic of Croatia to refrain from this action.

The Security Council expresses its support for the efforts of the Co-Chairmen and UNPROFOR and calls on the parties and others concerned to cooperate fully with them in this regard and to conclude rapidly the agreement on confidence-building measures called for in its resolution 847 (1993). It joins the Secretary-General in his call to the parties and others concerned to act in a manner conducive to the maintenance of peace and to refrain from any action which would undermine these efforts, and calls upon the parties to assure UNPROFOR's freedom of access in particular to the area surrounding the Maslenica crossing.

STATEMENT BY THE PRESIDENT
22 July 1993

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3257th meeting, held on 22 July 1993, in connection with the Council's consideration of the item entitled "The situation in the Republic of Bosnia and Herzegovina":

The Security Council has noted with grave concern the letter of 19 July 1993 from the President of the Presi-

dency of the Republic of Bosnia and Herzegovina addressed to the President of the Security Council (S/26107, annex) about the Bosnian Serb military offensive in the area of Mount Igman, close to Sarajevo, a city which has stood for centuries as an outstanding example of a multicultural, multi-ethnic and pluri-religious society, which needs to be protected and preserved.

The Security Council renews its demand that all hostilities in the Republic of Bosnia and Herzegovina cease and that the parties and others concerned refrain from any hostile acts. It supports the call from the Co-Chairmen of the International Conference on the Former Yugoslavia in this regard, designed to facilitate the peace talks.

The Security Council reaffirms its resolutions 824 (1993) and 836 (1993), in the first of which the Council declared Sarajevo a safe area that should be free from armed attacks and any hostile acts, and from which Bosnian Serb military or para-military units should be withdrawn to a distance wherefrom they cease to constitute a menace to its security and that of its inhabitants. It condemns the offensive by the Bosnian Serbs on Mount Igman aimed at further isolating Sarajevo and escalating the recent unprecedented and unacceptable pressures on the Government and people of the Republic of Bosnia and Herzegovina before the forthcoming talks in Geneva. It demands an immediate end to this offensive and to all attacks on Sarajevo. It also demands an immediate end to all violations of international humanitarian law. It demands an end to the disruption of public utilities (including water, electricity, fuel and communications) by the Bosnian Serb party and to the blocking of, and interference with, the delivery of humanitarian relief by both the Bosnian Serb and the Bosnian Croat parties.

The Security Council calls on the parties to meet in Geneva under the auspices of the Co-Chairmen of the International Conference on the Former Yugoslavia. It calls on the parties to negotiate in earnest with the aim of achieving a just and equitable settlement on the basis of the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina and the principles agreed at the International Conference on the Former Yugoslavia in London on 26 August 1992 and supported by the Council in its statement of 2 September 1992 (S/24510). In particular it reaffirms the unacceptability of ethnic cleansing, or the acquisition of territory by the use of force, or any dissolution of the Republic of Bosnia and Herzegovina.

The Security Council emphasizes that it will keep open all options, none of which is prejudged or excluded from consideration.

STATEMENT BY THE PRESIDENT
30 July 1993

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3260th meeting, on 30 July 1993, in connection with the Council's consideration of the item entitled "The situation prevailing in and adjacent to the United Nations Protected Areas in Croatia":

The Security Council has heard with deep concern the report from the Special Representative of the Secretary-General for the Former Yugoslavia on the situation in and around the United Nations Protected Areas (UNPAs) in the Republic of Croatia and in particular in respect of the Maslenica crossing.

The Security Council reaffirms the presidential statement of 15 July 1993 (S/26084). Following this statement the parties reached an agreement on 15/16 July 1993 at Erdut which requires the withdrawal of Croatian armed forces and police from the area of the Maslenica Bridge by 31 July 1993 and the placing of the bridge under the exclusive control of the United Nations Protection Force (UNPROFOR).

The Security Council demands that the Croatian forces withdraw forthwith in conformity with the above-mentioned agreement, and that they permit the immediate deployment of UNPROFOR. The Council also demands that the Krajina Serb forces refrain from entering

the area. The Council calls for maximum restraint from all the parties, including the observance of a cease-fire.

The Security Council warns of the serious consequences of any failure to implement the above-mentioned agreement.

The Council will remain actively seized of the matter.

RESOLUTION 855 (1993)
9 August 1993

Adopted by a vote of 14 in favour, 0 against and 1 abstention (China).

Sponsors: France, Hungary, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

The Security Council,

Taking note of the letters of 20 July 1993 (S/26121) and 23 July 1993 (S/26148) from the Chairman-in-Office of the Council of Ministers of the Conference on Security and Cooperation in Europe (CSCE),

Further taking note of the letters of 28 July 1993 (S/26210) and 3 August 1993 (S/26234) circulated by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro),

Deeply concerned at the refusal of the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) to allow the CSCE missions of long duration to continue their activities,

Bearing in mind that the CSCE missions of long duration are an example of preventive diplomacy undertaken within the framework of the CSCE, and have greatly contributed to promoting stability and counteracting the risk of violence in Kosovo, Sandjak and Vojvodina, the Federal Republic of Yugoslavia (Serbia and Montenegro),

Reaffirming its relevant resolutions aimed at putting an end to conflict in the former Yugoslavia,

Determined to avoid any extension of the conflict in the former Yugoslavia and, in this context, attaching great importance to the work of the CSCE missions and to the continued ability of the international community to monitor the situation in Kosovo, Sandjak and Vojvodina, the Federal Republic of Yugoslavia (Serbia and Montenegro),

Stressing its commitment to the territorial integrity and political independence of all States in the region,

1. Endorses the efforts of the CSCE as described in the letters noted above from the Chairman-in-Office of the Council of Ministers of the Conference on Security and Cooperation in Europe (CSCE);

2. Calls upon the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) to reconsider their refusal to allow the continuation of the activities of the CSCE missions in Kosovo, Sandjak and Vojvodina, the Federal Republic of Yugoslavia (Serbia and Montenegro), to cooperate with the CSCE by taking the practical steps needed for the resumption of the activities of these missions and to agree to an increase in the number of monitors as decided by the CSCE;

3. Further calls upon the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) to assure the monitors' safety and security, and to allow them free and unimpeded access necessary to accomplish their mission in full;

4. Decides to remain seized of the matter.

RESOLUTION 857 (1993)
20 August 1993

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Recalling its resolutions 808 (1993) of 22 February 1993 and 827 (1993) of 25 May 1993,

Having decided to consider the nominations for Judges of the International Tribunal received by the Secretary-General before 16 August 1993,

Establishes the following list of candidates in accordance with Article 13 of the Statute of the International Tribunal:

Mr. Georges Michel ABI-SAAB (Egypt)

Mr. Julio A. BARBERIS (Argentina)

Mr. Raphaël BARRAS (Switzerland)

Mr. Sikhe CAMARA (Guinea)

Mr. Antonio CASSESE (Italy)

Mr. Hans Axel Valdemar CORELL (Sweden)

Mr. Jules DESCHENES (Canada)

Mr. Alfonso DE LOS HEROS (Peru)

Mr. Jerzy JASINSKI (Poland)

Mr. Heike JUNG (Germany)

Mr. Adolphus Godwin KARIBI-WHYTE (Nigeria)

Mr. Valentin G. KISILEV (Russian Federation)

Mr. Germain LE FOYER DE COSTIL (France)

Mr. Li Haopei (China)

Ms. Gabrielle Kirk McDONALD (United States of America)

Mr. Amadou N'DIAYE (Mali)

Mr. Daniel David Ntanda NSEREKO (Uganda)

Ms. Elizabeth ODIO BENITO (Costa Rica)

Mr. Hüseyin PAZARCI (Turkey)

Mr. Moragodage Christopher Walter PINTO (Sri Lanka)

Mr. Rustam S. SIDHWA (Pakistan)

Sir Ninian STEPHEN (Australia)

Mr. Lal Chan VOHRAH (Malaysia)

RESOLUTION 859 (1993)
24 August 1993

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Recalling all its previous resolutions on the conflict in the Republic of Bosnia and Herzegovina,

Reaffirming the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina and the responsibility of the Security Council in this regard,

Reaffirming further that the Republic of Bosnia and Herzegovina, as a State Member of the United Nations, enjoys the rights provided for in the Charter of the United Nations,

Noting that the Republic of Bosnia and Herzegovina has continued to be subject to armed hostilities in contravention of Security Council resolution 713 (1991) and other relevant Security Council resolutions and that, despite all efforts by the United Nations as well as regional organizations and arrangements, there is still no compliance with all relevant Security Council resolutions, in particular by the Bosnian Serb party,

Condemning once again all war crimes and other violations of international humanitarian law, by whomsoever committed, Bosnian Serbs or other individuals,

Deeply concerned at the deterioration of humanitarian conditions in the Republic of Bosnia and Herzegovina, including in and around Mostar, and ***determined*** to support in every possible way the efforts by the United Nations Protection Force (UNPROFOR) and the United Nations High Commissioner for Refugees (UNHCR) to continue providing humanitarian assistance to civilian populations in need,

Concerned about the continuing siege of Sarajevo, Mostar and other threatened cities,

Strongly condemning the disruption of public utilities (including water, electricity, fuel and communications), in particular by the Bosnian Serb party, and ***calling upon*** all parties concerned to cooperate in restoring them,

Recalling the principles for a political solution adopted by the London International Conference on the Former Yugoslavia,

Reaffirming once again the unacceptability of the acquisition of territory through the use of force and the practice of "ethnic cleansing",

Stressing that an end to the hostilities in the Republic of Bosnia and Herzegovina is necessary to achieve meaningful progress in the peace process,

Mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Taking into account the reports of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia contained in documents S/26233, S/26260 and S/26337,

Determining that the grave situation in the Republic of Bosnia and Herzegovina continues to be a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. Notes with appreciation the report by the Secretary-General's Special Representative on the latest developments at the Geneva peace talks and ***urges*** the parties, in cooperation with the Co-Chairmen, to conclude as soon as possible a just and comprehensive political settlement freely agreed by all of them;

2. Calls for an immediate cease-fire and cessation of hostilities throughout the Republic of Bosnia and Herzegovina as essential for achieving a just and equitable political solution to the conflict in Bosnia and Herzegovina through peaceful negotiations;

3. Demands that all concerned facilitate the unhindered flow of humanitarian assistance, including the provision of food, water, electricity, fuel and communications, in particular to the "safe areas" in Bosnia and Herzegovina;

4. Demands also that the safety and operational effectiveness of UNPROFOR and UNHCR personnel in Bosnia and Herzegovina be fully respected by all parties at all times;

5. Notes with appreciation the Secretary-General's letter of 18 August 1993 (S/26335) stating that the United Nations has now the initial operational capability for the use of air power in support of UNPROFOR in Bosnia and Herzegovina;

6. Affirms that a solution to the conflict in the Republic of Bosnia and Herzegovina must be in conformity with the Charter of the United Nations and the principles of international law; and ***further affirms*** the continuing relevance in this context of:

(a) The sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina;

(b) The fact that neither a change in the name of the State nor changes regarding the internal organization of the State such as those contained in the constitutional agreement annexed to the Co-Chairmen's report in document S/26337 would affect the continued membership of Bosnia and Herzegovina in the United Nations;

(c) The principles adopted by the London International Conference on the Former Yugoslavia, including the need for a cessation of hostilities, the principle of a negotiated solution freely arrived at, the unacceptability of the acquisition of territory by force or by "ethnic cleansing" and the right of refugees and others who have suffered losses to compensation in accordance with the statement on Bosnia adopted by the London Conference;

(d) Recognition and respect for the right of all displaced persons to return to their homes in safety and honour;

(e) The maintenance of Sarajevo, capital of Bosnia and Herzegovina, as a united city and a multicultural, multi-ethnic and pluri-religious centre;

7. Recalls the principle of individual responsibility for the perpetration of war crimes and other violations of international humanitarian law and its decision in resolution 827 (1993) to establish an International Tribunal;

8. Declares its readiness to consider taking the necessary measures to assist the parties in the effective implementation of a fair and equitable settlement once it has been freely agreed by the parties, which would require a decision by the Council;

9.Decides to remain actively seized of the matter.

STATEMENT BY THE PRESIDENT
14 September 1993

After consultations among members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3275th meeting, on 14 September 1993, in connection with the Council's consideration of the item entitled "The situation in Croatia":

The Security Council expresses its profound concern at the reports from the Secretariat of recent military hostilities in Croatia, in particular the escalation of the means employed, and the grave threat they pose to the peace process in Geneva and overall stability in the former Yugoslavia.

The Council reaffirms its respect for the sovereignty and territorial integrity of the Republic of Croatia, and calls on both sides to accept UNPROFOR's proposal of an immediate cease-fire. It calls on the Croatian Government to withdraw its armed forces to positions occupied before 9 September 1993, on the basis of that proposal, and calls on the Serbian forces to halt all provocative military actions.

STATEMENT BY THE PRESIDENT
14 September 1993

After consultations among members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3276th meeting, on 14 September 1993, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

The Security Council expresses its profound concern over recent reports that Bosnian Croats have been holding Bosnian Muslims in detention camps under deplorable conditions. The Council recalls the international revulsion and condemnation that accompanied revelations last year of the conditions under which Bosnian Muslims and Bosnian Croats were being held in Bosnian Serb detention camps.

The Council reiterates the principle that the International Committee of the Red Cross (ICRC) must be given access to all detainees in Bosnia wherever they may be held. It notes that the ICRC has recently been given access to some detainees, but recalls with condemnation the obstacles which the Bosnian Croats have previously placed in the way of the ICRC's attempts to gain access to the camps in order to ascertain the conditions of the detained. It also notes the recent appeal addressed by the President of Croatia to the Bosnian Croats (S/26419).

The Council emphasizes the fact that inhumane treatment and abuses in detention centres violates international humanitarian law. Moreover, as the Council has previously recalled, persons who commit or order the commission of grave breaches of the Geneva conventions are individually responsible in respect of such breaches.

The Council calls upon the Bosnian Croats to supply immediately to the ICRC complete information on all camps where Bosnian Muslim and other prisoners are being held, and to assure the ICRC and all other legitimately concerned international bodies free and unhindered access to the detained, wherever they may be held.

The Council believes that the Government of Croatia has a responsibility to use its influence with the Bosnian Croats to secure compliance with this statement and calls on the Government of Croatia to take immediate steps to that end.

The Council further reaffirms that all parties to the conflict are bound to comply with their obligations under international humanitarian law and in particular the Geneva Conventions of 12 August 1949, and reminds them of its willingness to consider appropriate actions if any of them should fail to abide scrupulously by their obligations.

The Council decides to remain seized of the matter.

RESOLUTION 869 (1993)
30 September 1993

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolution 743 (1992) and all subsequent resolutions relating to the United Nations Protection Force (UNPROFOR),

Reiterating its determination to ensure the security of UNPROFOR and its freedom of movement for all its missions, and to these ends, as regards UNPROFOR in the Republic of Croatia and in the Republic of Bosnia and Herzegovina, ***acting*** under Chapter VII of the Charter of the United Nations,

1. Decides to extend UNPROFOR'S mandate for an additional period terminating on 1 October 1993;

2. Decides to remain actively seized of the matter.

RESOLUTION 870 (1993)
1 October 1993

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolution 743 (1992) and all subsequent resolutions relating to the United Nations Protection Force (UNPROFOR),

Reiterating its determination to ensure the security of UNPROFOR and its freedom of movement for all its missions, and to these ends, as regards UNPROFOR in the Republic of Croatia and in the Republic of Bosnia and Herzegovina, ***acting*** under Chapter VII of the Charter of the United Nations,

1. Decides to extend UNPROFOR'S mandate for an additional period terminating on 5 October 1993;

2. Decides to remain actively seized of the matter.

RESOLUTION 871 (1993)
4 October 1993

Adopted by unanimous vote.

Prepared in the course of the Council's consultations.

The Security Council,

Reaffirming its resolution 743 (1992) and all subsequent resolutions relating to the United Nations Protection Force (UNPROFOR),

Reaffirming also its resolution 713 (1991) and all subsequent relevant resolutions,

Having considered the report of the Secretary-General of 20 September 1993 (S/26470 and Add.1),

Having also considered the letter of the Minister for Foreign Affairs of the Republic of Croatia dated 24 September 1993 (S/26491, annex),

Deeply concerned that the United Nations peace-keeping plan for the Republic of Croatia (S/23280, annex III), and all relevant Security Council resolutions, in particular resolution 769 (1992), have not yet been fully implemented,

Reiterating its determination to ensure the security of

UNPROFOR and its freedom of movement for all its missions, and to these ends, as regards UNPROFOR in the Republic of Croatia and in the Republic of Bosnia and Herzegovina, **acting** under Chapter VII of the Charter of the United Nations,

1. Welcomes the report of the Secretary-General of 20 September 1993 (S/26470), in particular its paragraph 16;

2. Takes note of the intention of the Secretary-General to establish, as described in his report, three subordinate commands within UNPROFOR — UNPROFOR (Croatia), UNPROFOR (Bosnia and Herzegovina) and UNPROFOR (the former Yugoslav Republic of Macedonia) — while retaining the existing dispositions in all other respects for the direction and conduct of the United Nations operation in the territory of the former Yugoslavia;

3. Condemns once again continuing military attacks within the territory of the Republic of Croatia and the Republic of Bosnia and Herzegovina, and ***reaffirms*** its commitment to ensure respect for the sovereignty and territorial integrity of the Republic of Croatia, the Republic of Bosnia and Herzegovina and the former Yugoslav Republic of Macedonia, where UNPROFOR is deployed;

4. Reaffirms the crucial importance of the full and prompt implementation of the United Nations peace-keeping plan for the Republic of Croatia including the provisions of the plan concerning the demilitarization of the United Nations Protected Areas (UNPAs) and ***calls upon*** the signatories of that plan and all others concerned, in particular the Federal Republic of Yugoslavia (Serbia and Montenegro), to cooperate in its full implementation;

5. Declares that continued non-cooperation in the implementation of the relevant resolutions of the Security Council or external interference, in respect of the full implementation of the United Nations peace-keeping plan for the Republic of Croatia would have serious consequences and in this connection ***affirms*** that full normalization of the international community's position towards those concerned will take into account their actions in implementing all relevant resolutions of the Security Council including those relating to the United Nations peace-keeping plan for the Republic of Croatia;

6. Calls for an immediate cease-fire agreement between the Croatian Government and the local Serb authorities in the UNPAs, mediated under the auspices of the International Conference on the Former Yugoslavia, and ***urges*** them to cooperate fully and unconditionally in its implementation, as well as in the implementation of all the relevant resolutions of the Council;

7. Stresses the importance it attaches, as a first step towards the implementation of the United Nations peace-keeping plan for the Republic of Croatia, to the process of restoration of the authority of the Republic of Croatia in the "pink zones", and in this context ***calls for*** the revival of the Joint Commission established under the chairmanship of UNPROFOR;

8. Urges all the parties and others concerned to cooperate with UNPROFOR in reaching and implementing an agreement on confidence-building measures including the restoration of electricity, water and communications in all regions of the Republic of Croatia, and ***stresses*** in this context the importance it attaches to the opening of the railroad between Zagreb and Split, the highway between Zagreb and Zupanja, and the Adriatic oil pipeline, securing the uninterrupted traffic across the Maslenica strait, and restoring the supply of electricity and water to all regions of the Republic of Croatia including the United Nations Protected Areas;

9. Authorizes UNPROFOR, in carrying out its mandate in the Republic of Croatia, acting in self-defence, to take the necessary measures, including the use of force, to ensure its security and its freedom of movement;

10. Decides to continue to review urgently the extension of close air support to UNPROFOR in the territory of the Republic of Croatia as recommended by the

Secretary-General in his report of 20 September 1993 (S/26470);

11. Decides in this context to extend UNPROFOR's mandate for an additional period terminating on 31 March 1994;

12. Requests the Secretary-General to report two months after the adoption of the present resolution on progress towards implementation of the United Nations peace-keeping plan for the Republic of Croatia and all relevant Security Council resolutions, taking into account the position of the Croatian Government, as well as on the outcome of the negotiations within the International Conference on the Former Yugoslavia, and ***decides*** to reconsider UNPROFOR's mandate in the light of that report;

13. Requests further the Secretary-General to keep the Council regularly informed on developments in regard to the implementation of UNPROFOR's mandate;

14. Decides to remain actively seized of the matter.

STATEMENT BY THE PRESIDENT
13 October 1993

At the 3290th meeting of the Security Council, held on 13 October 1993, in connection with the Council's consideration of the item "Navigation on the Danube river in the Federal Republic of Yugoslavia (Serbia and Montenegro)", the President of the Security Council made the following statement on behalf of the Council:

The Security Council has learned with deep concern that the blocking of the Danube by two Serbian non-governmental organizations is still continuing and deplores the acquiescence of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro), which is reflected in the fact that they have failed to take any action to prevent these acts. It condemns these deliberate and unjustified acts of interference with the river traffic of several Member States of the United Nations. It emphasizes the importance it attaches to the free and unhindered navigation on the Danube which is essential for legitimate trade in the region. It reminds the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) of their previous written commitment to secure free and safe navigation on this vital international waterway.

The Security Council is also concerned that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) continue to impose tolls on foreign vessels transiting the section of the Danube which passes through the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro). By extracting these payments, the Federal Republic of Yugoslavia (Serbia and Montenegro) violates its international obligations. The Security Council rejects any attempt to justify, on whatever ground, the imposition of tolls on the Danube. It demands that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) and any others imposing similar tolls cease such action immediately.

The Security Council condemns these illegal actions and reaffirms that it is wholly unacceptable for the Federal Republic of Yugoslavia (Serbia and Montenegro) to take retaliatory measures in response to action by a State in fulfilment of its obligations under the Charter of the United Nations. It reminds the Federal Republic of Yugoslavia (Serbia and Montenegro) of its own international obligations and demands that its authorities ensure free movement of international traffic on the Danube.

The Security Council remains seized of the matter.

RESOLUTION 877 (1993)
21 October 1993

Adopted without a vote.

Prepared in the course of the Council's consultations.

The Security Council,

Recalling its resolutions 808 (1993) of 22 February 1993 and 827 (1993) of 25 May 1993,

Having regard to Article 16 (4) of the Statute of the International Tribunal for the Prosecution of Persons

Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (S/25704),

Having considered the nomination by the Secretary-General of Mr. Ramón Escovar-Salom for the position of Prosecutor of the International Tribunal,

Appoints Mr. Ramón Escovar-Salom as Prosecutor of the International Tribunal.

STATEMENT BY THE PRESIDENT
28 October 1993

Following consultations with the members of the Security Council, the President of the Council made the following statement in connection with the item entitled "The situation in the Republic of Bosnia and Herzegovina":

The members of the Council have heard an initial oral report by the Secretariat concerning the massacre of the civilian population in the village of Stupni Do on 23 October 1993 by troops of the Croatian Defence Council (HVO). They also heard accounts of attacks against UNPROFOR by armed persons bearing uniforms of the Bosnian Government forces, and of an attack to which a humanitarian convoy under the protection of UNPROFOR was subjected on 25 October 1993 in central Bosnia.

The members of the Council unreservedly condemn these acts of violence. They express their profound concern about the preliminary information to the effect that regular and organized armed forces were probably involved. They have requested the Secretary-General to submit as soon as possible a complete report on the responsibility for these acts. The members of the Council are prepared to draw all the relevant conclusions from this report, which will also be transmitted to the Commission of Experts established by resolution 780 (1992).

The members of the Council reiterate their demand that all the parties in the former Yugoslavia comply with their obligations under international humanitarian law, and that those responsible for such violations of international humanitarian law should be held accountable in accordance with the relevant resolutions of the Council. The members of the Council call upon all the parties in the former Yugoslavia to guarantee the unimpeded access of humanitarian assistance and the security of the personnel responsible for it.

STATEMENT BY THE PRESIDENT
9 November 1993

At the 3308th meeting of the Security Council, held on 9 November 1993, in connection with the Council's consideration of the item "The situation in the Republic of Bosnia and Herzegovina", the President of the Security Council made the following statement on behalf of the Council:

The Security Council expresses its deep concern at the reports on the deterioration of the situation in Central Bosnia where increased military activities are seriously threatening security of the civilian population.

The Security Council demands that all parties and others concerned refrain from taking any action that threatens the safety and well-being of the civilian population.

The Security Council is equally concerned at the overall humanitarian situation prevailing in the Republic of Bosnia and Herzegovina. It reiterates its demand to all parties and others concerned to guarantee unimpeded access for humanitarian assistance.

The Security Council, aware of the heavy burden that these developments add to the existing precarious humanitarian situation of the refugees and displaced persons in the Republic of Bosnia and Herzegovina and in the surrounding countries, calls on all parties to assist the competent United Nations agencies and other humanitarian organizations in their efforts to provide relief to the affected civilian population in those countries.

The Security Council urges all parties and others concerned to exert the utmost restraint and refrain from taking any action which might exacerbate the situation.

STATEMENT BY THE PRESIDENT
9 November 1993

At the 3308th meeting of the Security Council, held on 9 November 1993, in connection with the Council's consideration of the item "The situation in the Republic of Bosnia and Herzegovina", the President of the Security Council made the following statement on behalf of the Council:

The Security Council is profoundly shocked to learn of the incident which took place on 8 November 1993 in which two persons were taken hostage by the Bosnian Serb forces, while members of a delegation headed by Monsignor Vinko Puljic, the Archbishop of Sarajevo, travelling to the city of Vares on a mission of peace, under the protection of the United Nations Protection Force (UNPROFOR).

The Security Council strongly condemns this outrageous act, which is a flagrant challenge to the authority and inviolability of UNPROFOR.

The Security Council takes note that, despite the prompt and commendable intervention of the Special Representative of the Secretary-General, neither of the hostages has been released and demands that the Bosnian Serb forces proceed immediately to release them. The Council reminds the perpetrators of this act that they are obligated to ensure that no harm comes to the individuals being held and that those responsible for violations of international humanitarian law will be held personally accountable for their actions.

The Security Council requests the Secretary-General to undertake a thorough investigation of the incident and to report to the Council without delay. It urges all parties and others concerned to refrain from taking any action which might further exacerbate the situation.

The Security Council condemns all attacks and hostile acts against UNPROFOR by all parties in the Republic of Bosnia and Herzegovina, as well as in the Republic of Croatia, which have become more frequent over the last weeks, and demands that they cease forthwith.

STATEMENT BY THE PRESIDENT
7 January 1994

At the 3327th meeting of the Security Council, held on 7 January 1994, in connection with the Council's consideration of the item "The situation in the Republic of Bosnia and Herzegovina", the President of the Security Council made the following statement on behalf of the Council:

The Security Council expresses its deep concern at the continuing widespread hostilities in the Republic of Bosnia and Herzegovina. It deplores the failure of the parties to honour the agreements they have already signed, in the context of the International Conference on the Former Yugoslavia, to implement a cease-fire and to permit the delivery of humanitarian assistance. It condemns the flagrant violations of international humanitarian law which have occurred, for which it holds the perpetrators personally responsible.

The Security Council condemns any hostilities in the United Nations-designated safe areas, especially in the Sarajevo area. In particular it strongly condemns the continuing military pressure on and the relentless bombardment by Bosnian Serb forces of the capital city, Sarajevo. It demands the immediate end to attacks against Sarajevo, which have resulted in a high number of civilian casualties, seriously disrupted essential services and aggravated an already severe humanitarian situation. In this regard, the Council once again reaffirms its commitment fully to implement all its relevant resolutions, in particular resolution 836 (1993).

The Security Council strongly deplores the abhorrent practice of deliberate obstruction of humanitarian relief convoys by any party and reiterates its demand that there be unimpeded access of humanitarian relief assistance to their intended destinations. The Council further demands that all parties fully abide by their commitments in this regard and facilitate timely delivery of humanitarian aid.

The Security Council also condemns recent attacks against the personnel of the United Nations Protection Force (UNPROFOR) as well as of UNHCR and other humanitarian organizations. It reiterates the demand

that all parties ensure the safety and security of UNPROFOR, as well as all other United Nations personnel and those of non-governmental organizations, and their unimpeded access throughout the Republic of Bosnia and Herzegovina.

The Security Council calls on *all* the parties to cease hostilities throughout the Republic of Bosnia and Herzegovina and to honour the commitments they have entered into. It calls upon them to negotiate in earnest in the framework of the International Conference on the Former Yugoslavia to achieve an early settlement.

The Security Council remains seized of the matter and is ready to consider further measures to ensure that all parties and others concerned abide by their commitments and fully respect relevant Security Council resolutions.

STATEMENT BY THE PRESIDENT
3 February 1994

At the 3333rd meeting of the Security Council, held on 3 February 1994, in connection with the Council's consideration of the item "The situation in the Republic of Bosnia and Herzegovina", the President of the Security Council made the following statement on behalf of the Council:

The Security Council is deeply concerned that the Republic of Croatia has deployed elements of the Croatian Army (HV) along with heavy military equipment in the central and southern parts of the Republic of Bosnia and Herzegovina, as described in the Secretary-General's letter of 1 February 1994 (S/1994/109).

The Security Council strongly condemns the Republic of Croatia for this serious hostile act against a Member State of the United Nations, which constitutes a violation of international law, the Charter of the United Nations and relevant Security Council resolutions, in particular resolution 752 (1992), in which the Council demanded an immediate end to all forms of interference and full respect for the territorial integrity of the Republic of Bosnia and Herzegovina.

The Security Council demands that the Republic of Croatia withdraw forthwith all elements of the Croatian Army (HV) along with military equipment and fully respect the territorial integrity of the Republic of Bosnia and Herzegovina.

The Security Council once again reaffirms the sovereignty, territorial integrity and independence of the Republic of Bosnia and Herzegovina and the unacceptability of the acquisition of territory by force or "ethnic cleansing", and condemns such acquisition as well as the practice of "ethnic cleansing" by whomsoever committed.

The Security Council requests the Secretary-General to monitor closely the situation and report to the Council within two weeks from the date of the present statement on progress towards the complete and full withdrawal of all elements of the Croatian Army (HV), as well as military equipment, from the Republic of Bosnia and Herzegovina.

The Security Council will consider other serious measures if the Republic of Croatia fails to put an immediate end to all forms of interference in the Republic of Bosnia and Herzegovina.

The Security Council reiterates its statement of 7 January 1994 (S/PRST/1994/1), in which it expressed its deep concern at the continuing widespread hostilities in the Republic of Bosnia and Herzegovina. The Security Council calls once more on all the parties to cease hostilities throughout the Republic of Bosnia and Herzegovina, and to honour the commitments they have entered into and refrain from actions which escalate or widen the conflict. It calls upon them to negotiate in earnest in the framework of the International Conference on the former Yugoslavia to achieve an early settlement.

The Security Council will remain seized of the matter.

RESOLUTION 900 (1994)
4 March 1994

Adopted by unanimous vote.

Sponsors: France, the Russian Federation, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

The Security Council,

Recalling all its previous relevant resolutions on the conflict in the Republic of Bosnia and Herzegovina,

Taking note of the positive developments in and around Sarajevo, which constitute only a first step towards the restoration of peace and security throughout the Republic of Bosnia and Herzegovina on the basis of a negotiated settlement between the parties,

recalling the measures taken in and around Sarajevo under resolutions 824 (1993) and 836 (1993) and

welcoming the agreement between the Government of the Republic of Bosnia and Herzegovina and the Special Representative of the Secretary-General, and between the Bosnian Serb party and the Special Representative of the Secretary-General on the cease-fire and measures related to heavy weapons in and around Sarajevo, reached on 9 February 1994;

Emphasizing the crucial importance of achieving complete freedom of movement for the civilian population and humanitarian goods and of the restoration of normal life in Sarajevo,

Determined to restore essential public services in Sarajevo,

Welcoming, as part of the international effort to restore normal life to the city, the intention of the Governments of the United Kingdom of Great Britain and Northern Ireland and the United States of America, announced on 2 March 1994, to send immediately a joint civil mission to Sarajevo to assess the requirements for the restoration of essential public services, within the United Nations framework,

Reaffirming in this context the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Reiterating the importance of maintaining Sarajevo, capital of the Republic of Bosnia and Herzegovina, as a united city and a multicultural, multi-ethnic and pluri-religious centre,

Welcoming the goal of achieving the prompt rotation of UNPROFOR personnel in Srebrenica and the early reopening of Tuzla airport,

Mindful of the serious discussions which have taken place on the issue of Sarajevo, as part of an overall settlement, at the negotiations in the context of the International Conference on the Former Yugoslavia,

Deeply concerned by the deteriorating situation in Maglaj,

Deeply concerned also by the situation of the civilian population in other parts of the territory of the Republic of Bosnia and Herzegovina, including in and around Mostar and Vitez,

Welcoming in this context the recent significant developments in peace negotiations between the Government of the Republic of Bosnia and Herzegovina and the Bosnian Croat party and with the Government of the Republic of Croatia, as steps towards an overall political settlement, as well as negotiations involving the Bosnian Serb party,

Bearing in mind the importance of facilitating the return of refugees and displaced persons to their homes,

Stressing the importance it attaches to full compliance with international humanitarian law in all its aspects in the Republic of Bosnia and Herzegovina,

Recalling the provisions of its resolution 824 (1993) concerning safe areas, ***determining*** that the situation in the Republic of Bosnia and Herzegovina continues to constitute a threat to international peace and security, and in this context ***acting*** under Chapter VII of the Charter of the United Nations,

1. Calls for all parties to cooperate with UNPROFOR in the consolidation of the cease-fire in and around Sarajevo;

2. Calls upon all parties, with the assistance of the United Nations, to achieve complete freedom of movement for the civilian population and humanitarian goods to, from and within Sarajevo, to remove any hindrance to such freedom of movement, and to help restore normal life to the city;

3. Requests the Secretary-General to appoint, as a matter of urgency, for a limited period, a senior civilian official, who will act under the authority of the Special Representative of the Secretary-General for the former Yugoslavia, to draw up an overall assessment and plan of action, in conjunction with the Government of the Republic of Bosnia and Herzegovina and also in consultation with all relevant local authorities, for the restoration of essential public services in the various opstinas of Sarajevo, other than the city of Pale; this official will be empowered to assist the Government of the Republic of Bosnia and Herzegovina and, in close coordination with all relevant local authorities and the local representatives of the United Nations, to work to implement the plan;

4. Invites the Secretary-General to establish a voluntary trust fund, to be disbursed within the framework set out in paragraph 3 above, for the restoration of essential public services in Sarajevo to promote a return to normal life in the city, and ***encourages*** States and other donors to contribute thereto;

5. Requests the Secretary-General to present within one week of the adoption of the present resolution a report on ways and means for, including the estimated cost of, the implementation of the objectives set forth above;

6. Calls upon States and other donors to assist the Secretary-General, in particular by contributing personnel and equipment, in the implementation of the relevant Security Council resolutions concerning Bosnia and Herzegovina;

7. Requests further the Secretary-General to report within ten days of the adoption of the present resolution on the feasibility and modalities for the application of the protection, defined in resolutions 824 (1993) and 836 (1993) to Maglaj, Mostar and Vitez, taking into account all developments both on the ground and in the negotiations between the parties;

8. Decides to remain actively seized of the matter.

STATEMENT BY THE PRESIDENT
14 March 1994

At the 3348th meeting of the Security Council, held on 14 March 1994, in connection with the Council's consideration of the item "Navigation on the Danube river in the Federal Republic of Yugoslavia (Serbia and Montenegro)", the President of the Security Council made the following statement on behalf of the Council:

The Security Council has taken note of the letters dated 10 and 14 March 1994 from the Chargé d'affaires of the Federal Republic of Yugoslavia (Serbia and Montenegro). In these documents, his Government acknowledges that the Bulgarian convoy, the Han Kubrat, composed of six barges transporting 6,000 tons of diesel oil on the Danube entered the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) on the morning of 6 March 1994 at the Port of Prahovo. The Government also recognizes that the cargo was unloaded and that the convoy returned to Bulgaria without it.

The Security Council most strongly condemns this flagrant violation of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) of the relevant resolutions of the Security Council prohibiting the shipment of commodities and products to the Federal Republic of Yugoslavia (Serbia and Montenegro). It holds the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) fully accountable for the non-return of the cargo of the Han Kubrat.

The Security Council welcomes the cooperative attitude of the Bulgarian Government. It calls upon the authorities of Bulgaria to assess the precise circumstances of this act and to prosecute those responsible for it.

The Security Council reaffirms the importance it attaches to free and unimpeded navigation on the Danube, which is essential to legitimate commerce in the region. It again stresses that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) have undertaken in writing to guarantee the freedom and security of navigation on this crucial international waterway. It invites them to respect scrupulously their commitments in this regard.

The Security Council stands ready to address the issue again in the future.

STATEMENT BY THE PRESIDENT
14 March 1994

At the 3349th meeting of the Security Council, held on 14 March 1994, in connection with the Council's consideration of the item "The situation in the Republic of Bosnia and Herzegovina", the President of the Security Council made the following statement on behalf of the Council:

The Security Council remains gravely concerned at the continuing hostilities in the Republic of Bosnia and Herzegovina. It especially deplores the rapidly deteriorating situation in the Maglaj area and the threat it poses to the survival of the remaining civilian population. It notes that this intolerable situation has been perpetuated by the intensity of the nine-month siege of the town, for which the Bosnian Serb party is primarily responsible.

The Security Council strongly condemns the indiscriminate shelling by the Bosnian Serb party of the civilian population of Maglaj, which has resulted in heavy casualties, loss of life and material destruction.

The Security Council notes with particular concern reports of the recurrent obstruction and looting of humanitarian aid convoys destined for the civilian population of Maglaj, including the most recent incident which took place on 10 March 1994, in which six aid trucks were prevented from reaching the town. It is appalled that not one convoy has reached the town since 25 October 1993. The Council notes that the civilian population has been totally dependent on air-drops and commends those who have provided these vital missions. The Council demands that the Bosnian Serb party and the Bosnian Croat party allow forthwith and without conditions passage to all humanitarian convoys, and the immediate evacuation of those in need of urgent medical attention. The Council also demands that the siege of Maglaj be ended immediately.

The Security Council welcomes the fact that United Nations Protection Force (UNPROFOR) personnel have now obtained access to Maglaj. It demands that the Bosnian Serb party permit unimpeded and continuing access by UNPROFOR to Maglaj.

The Security Council also condemns recent attacks against the personnel of UNPROFOR as well as of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations. It reiterates its demands that all parties ensure the safety and security of UNPROFOR, as well as all other United Nations personnel and those of non-governmental organizations, and their unimpeded freedom of movement throughout the Republic of Bosnia and Herzegovina.

The Council affirms its determination to maintain and build upon the recent positive developments towards peace in the Republic of Bosnia and Herzegovina, and in this context notes the importance of protecting Maglaj and its civilian population from further hostilities. It will consider the situation in Maglaj further in the context of its examination of the report of the Secretary-General (S/1994/291) pursuant to its resolution 900 (1994).

THE CHARTER OF THE UNITED NATIONS
CHAPTER VII

ACTION WITH RESPECT TO THREATS TO THE PEACE, BREACHES OF THE PEACE, AND ACTS OF AGGRESSION

ARTICLE 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

ARTICLE 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

ARTICLE 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

ARTICLE 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

ARTICLE 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

ARTICLE 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfilment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

ARTICLE 45

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

ARTICLE 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

ARTICLE 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees.

ARTICLE 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

ARTICLE 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

ARTICLE 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

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